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: September 2, 2021

To: Humboldt County Planning Commission

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

Subject: **Platinum King Farms LLC, Special Permit and Conditional Use Permit**
Record Numbers: PLN-2018-15200
Assessor's Parcel Number (APN's:) 104-071-005
37773 Mattole Road, Petrolia area

Table of Contents **Page**

Agenda Item Transmittal		2
Recommended Action and Executive Summary		3
Draft Resolution		7
Maps		
Topo Map		13
Zoning Map		14
Aerial Map		15
Site Plans		16
Attachments		
Attachment 1:	Recommended Conditions of Approval	26
Attachment 2:	CEQA Addendum	34
Attachment 3:	Applicant's Evidence in Support of the Required Findings	39
A:	Site Management Plan	Separate
B:	Nitrogen Management Plan	Separate
Attachment 4:	Referral Agency Comments and Recommendations	97

Please contact Michael Holtermann, Planner, at 707-268-3737 or by email at mholtermann@co.humboldt.ca.us, if you have any questions about the scheduled public hearing item.

AGENDA ITEM TRANSMITTAL

Hearing Date	Subject	Contact
September 2, 2021	Special Permit and Conditional Use Permit	Michael Holtermann

Project Description: Special Permit for a proposed 30,000 square feet of new mixed light cannabis cultivation to occur on APN 104-071-005 and a Conditional Use Permit for a commercial processing facility based on the fact that the site is located on an unpaved category 4 road. The facility will allow for off-site commercial processing from other permitted cannabis farms in the area. Propagation for the project will occur on site in one (1) greenhouse nursery, 68'x69.5' (4,726 square feet), and a 29'x25' (725 square feet) clone room in an existing ag barn for a total nursery area of 5,451 square feet. The proposed propagation space will also support the applicants proposed cannabis cultivation on the neighboring parcel (APN 104-071-004) under the same ownership, which is being processed as a separate application (PLN-2018-15196). Water for the project will be provided year-round by a proposed 300'x100' rainwater catchment and storage pond, capable of storing 2.5 million gallons with supplemental water supplied by two permitted wells utilizing solar powered pumps. 32,500 gallons of water storage exist currently, in the form of one (1) 15,000-gallon tank, and five (5) 3,500-gallon tanks. The applicant estimates an annual total of 697,778 gallons of water will be required for irrigation. All water storage and sources will be present on the neighboring parcel (APN 104-071-004). Drying will occur in an existing 32'x54' drying barn on the neighboring parcel (APN 104-071-004). Curing, trimming packaging and storing will occur onsite in an existing processing facility that is proposed to also allow for off-site commercial processing from other permitted cannabis farms in the area. The applicant anticipates there will be a maximum of 12 seasonal employees working across both parcels in addition to the property owners. There is an onsite employee residence in the form of a modular home. Power for the project will be provided by PG&E, purchased through the Redwood Coast Energy Authority's RePower+ electricity service to ensure that the project runs on 100% renewable energy. A generator will be kept on site for use during emergency power outages.

Project Location: The project is located in Humboldt County, in the Petrolia area, on the east side of Reynolds Road, approximately 1.2 miles from the intersection of Reynolds Road and Mattole Road, on the property known as 37773 Mattole Rd

Present Plan Land Use Designations: Agricultural Grazing (AG), Density: Range is 20 to 160 acres per unit; Timberland (T), Density: Range is 40 to 160 acres per unit, 2017 General Plan, Slope Stability: Moderate Instability (2) and High Instability (3)

Present Zoning: Agricultural Exclusive (AE); Timberland Production (TPZ)

Record Numbers: PLN-2018-15200

Assessor's Parcel Numbers: 104-071-005

Applicant	Owner	Agents
Platinum King Farms LLC 1632 Broadway #313 Eureka CA 95501	Freerange Holdings, LLC Co. 1632 Broadway #313 Eureka CA 95501	Rinehart Engineering Bret Rinehart 559 Howard Heights Rd Eureka, CA 95503

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

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

Major Issues: None.

Platinum King Farms LLC, Special Permit and Conditional Use Permit
Record Numbers: PLN-2018-15200
Assessor's Parcel Numbers: 104-071-005

Recommended Commission Action

1. Describe the application as a public hearing;
2. Request that staff present the project;
3. Open the public hearing and receive testimony; and
4. Close the hearing and take the following action:

Find that the Commission has considered the Addendum to the adopted Environmental Impact Report for the Commercial Cannabis Land Use Ordinance (CCLUO) as described by Section 15164 of the State CEQA Guidelines, make the required findings for approval of the Conditional Use Permit and adopt the resolution approving the Platinum Kings Farms Conditional Use Permit and Special Permit as recommended by staff and subject to the recommended conditions.

Executive Summary:

Platinum King Farms seeks a Special Permit to allow the operation of a new 30,000 SF mixed light cannabis operation and a Conditional Use Permit for a commercial processing facility, on an unpaved category 4 road, to allow for off-site commercial processing from other permitted cannabis farms in the area in the Agricultural Exclusive (AE) zoned portion of the 160-acre AE/TPZ split-zoned parcel. The cultivation process will utilize mixed light and light deprivation techniques, with three (3) annual harvests expected for the first two years, at which point the applicant proposes to transition to a year-round operation with up to six (6) harvests annually. Water for irrigation will be provided by a proposed rainwater catchment pond capable of 2.5 million gallons of water storage, and two permitted wells will be used as a supplemental irrigation source. There is also one (1) 15,000 gallon tank, and five (5) 3,500 gallon tanks, totaling 32,500 gallons of water storage in addition to the rainwater catchment pond.

Cultivation, Propagation, and Storage Structures	
APN 104-071-005	**Dimensions**
Cannabis Processing Facility	±50'x52'x23' high (2,600 SF)
Nursery Greenhouse	68'x69.5' (4,726 SF)
Ag Barn	±36'x84'x20' high (725 SF for clone room)
Cultivation Greenhouse	±10,000 SF
Cultivation Greenhouse	±10,000 SF
Cultivation Greenhouse	±10,000 SF
Total Cultivation	30,000 SF
Total Nursery	5,451 SF (this includes propagation from the adjacent operation)
Total Processing	2,600 SF

Water Resources

Water for irrigation will be sourced from a proposed rainwater catchment pond, capable of storing 2.5 million gallons, and hard tank water storage totals 32,500 gallons. There are also two permitted wells that the applicant will use as a supplemental water source, however it is expected that the rainwater catchment pond will provide most, if not all, of the water required for the project, as well as existing cultivation on the neighboring parcel (104-071-004). The annual projected water use is 697,778 gallons, and the applicant expects 1,550,550 gallons of water will be input to water storage from rainwater catchment. The applicant also estimates that based on monthly average full sun hours, the solar well pumps can provide up to 1,520,220 gallons of water to storage. This brings the total water input to storage to an estimated maximum of 3,070,770 gallons annually. It is important to note that the pumping potential of the wells is a maximum and does not reflect the actual estimated water need provided by the wells, as the rainwater catchment pond is expected to meet nearly all, if not all, of the water needs for the cultivation on both parcels. The wells are sufficiently distant from any surface water features and at a depth at which it is reasonable to assume that neither well is hydrologically connected to surface water. It has also been determined by Rinehart Engineering that the wells are not hydrologically connected to surface water as outlined in the submitted *Well Hydrogeologic Analysis.* All water sources and storage are present on the neighboring parcel (APN 104-071-004) under the same ownership.

Biological Resources

A biological survey conducted by Natural Resources Management Corporation, dated August 30, 2019, determined that habitat for six sensitive species is present in the vicinity of the project area and documented a sighting of a juvenile sharp-shinned hawk (*Accipiter striatus*). The six sensitive species are as follows: golden eagle (*Aquila chrysaetos*), sharp-shinned hawk (*Accipiter striatus*), Cooper's hawk (*Accipiter cooperii*), fisher (*Pekania pennanti*), badger (*Taxidea taxus*), and Sonoma red tree vole (*Arborimus pomo*). No special status plant species were identified in the project impact areas during the botanical surveys. Prior to any construction activities for this project, the applicant is required to conduct the surveys outlined in the mitigation and management recommendations and adhere to all recommendations of the biological report in accordance with Humboldt County Code. The mitigation and management recommendations are as follows:

1. If ground-disturbing activities occur between February 1 and August 31, seasonally appropriate, protocol level surveys will need to be conducted to determine presence for golden eagles, Cooper's hawks, and sharp-shinned hawks. An area of 500 feet around the proposed project sites will need to be surveyed for active nests beginning February 1.
2. Preconstruction surveys for badger burrows or dens will need conducted in suitable grassland habitats slated for conversion within the project sites not more than 30 days prior to the start of construction.
3. Preconstruction surveys for foothill yellow-legged frogs will need to be conducted 48 hours prior to new development activities within 200 feet of any Stream Management Area or other wet areas. The survey area will include a 400-foot buffer around each of the project sites.
4. Preconstruction surveys will be required for ground-dwelling songbird species that may have potential to occur in and around the project sites. Surveys for nesting songbirds will be required within 7 days prior to construction start if construction occurs between March 1st and July 31st and need to encompass the area within 200 feet of the project area.
5. If generators will be in use it is required that measures be taken to reduce noise by installing mufflers or erecting sound deflecting acoustic shields or enclosures (secondary containment} with proper ventilation. Decibel meter readings will determine adherence to Humboldt County Ordinance No. 2599 (Humboldt County 2018}.

Tribal Consultation

The project is located in the Bear River Band Rancheria and Sinkyone Aboriginal Ancestral Territories. The project was referred to the Northwest Information Center, Bear River Band, and Sinkyone Tribe. The Bear River Band Rancheria recommended the applicant to submit a Cultural Resources investigation for the project. The applicant submitted a *Cultural Resources Investigation* (CRI) prepared by Roscoe and Associates, dated February of 2020. The CRI concluded there were no historical or archaeological resources identified in the study area and the proposed project will not result in any adverse change to historical or archaeological resources, however the inadvertent protocol was recommended, and as such the inadvertent protocol is a condition of approval for the project.

Access

The property is accessed via Reynolds Road, a road connected to the county-maintained road Mattole Road. The applicant submitted a road evaluation report prepared by Rinehart Engineering, dated July 17th, 2019. The applicant will be the only permit holder on Reynolds Road, and as such a Road Maintenance Association is not necessary. The road evaluation report states that the first section of Reynolds Road, from Mattole Road to the project site (1.1 miles) meets Category 4 standards. The roads on APN 104-071-004 will be improved to meet the recommended engineer standards outlined in the road evaluation report prior to any cultivation activities. All road improvements will adhere to engineer recommendations in the road evaluation plan, unless otherwise directed by the State Water Quality Control Board (SWQCB). The project was referred to the Department of Public Works on September 16th, 2019. The Department of Public Works recommend the following: the applicant shall ensure all driveways and private road intersections onto the County Road shall be maintained in accordance with County Code Section 341-1 (Sight Visibility Ordinance); and the applicant shall pave the surface of Reynolds Road for a minimum width of 20 feet and a length of 50 feet where it intersects the County Road. The project is conditioned to implement and adhere to all recommendations made by the Department of Public Works.

Processing

Cannabis processing operations will occur on site, with drying taking place in an existing 32'x54' (1,728 SF) ag barn on the neighboring parcel (APN 104-071-004), and curing, trimming, packaging, and finished cannabis storage will occur onsite in an existing 50'x52' (2,600 square feet) commercial processing building. The applicant expects 2-4 additional trips per day for processing of off-site cannabis at the commercial processing facility. The traffic will occur on Reynolds Road, which is a Category 4 road. The applicant expects 4-12 employees in addition to the owners for the combined cultivation operations on the adjoining parcels, with an employee residence in the form of a modular home near the processing facility. DEH comments for the project required an assessment of the existing septic system for the employee residence and processing facility. A *Site Suitability Report for Existing Onsite Wastewater Systems* was submitted by Rinehart Engineering dated September 16th, 2020, stating that the existing onsite wastewater disposal system does not meet the requirements for the proposed commercial use of the processing facility, however with the recommended leach field upgrades the site can be made suitable.

Noise

Twenty-four hour noise levels were measured at two property lines and one proxy property line, measured 100' away from the site of future cultivation activities in the direction of the nearest property line. This proxy property line measurement was implemented due to the fact that the parcels in question are large and can be difficult to traverse, however this will result in stricter performance standards on noise control and as such not only meets but exceeds the required CCLUO standards. Multiple twenty-four hour ambient noise measurements were also taken 100'

away from future noise sources related to cultivation and processing activities, and are outlined in the attached *Noise Assessment Report*. Noise levels at property lines were recorded over twenty-four hours and are 42 dB at property line 1, 35 dB at property line 2, and 49.8 dB at the proxy property line. The proxy property line is near a stream, which adds to background noise.

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 Special Permit and Conditional Use Permit.

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

The Planning Commission could also decide the project may have environmental impacts that would require further environmental review pursuant to CEQA. Staff did not identify any potential impacts. As the lead agency, the Department has determined that the project is consistent with the EIR for the CCLUO as stated above. However, the Commission may reach a different conclusion. In that case, the Commission should continue the item to a future date at least 2 months later to give staff the time to complete further environmental review.

RESOLUTION OF THE PLANNING COMMISION
OF THE COUNTY OF HUMBOLDT
Resolution Number 21-
Record Number: PLN-2018-15200
Assessor's Parcel Number: 104-071-005

Resolution by the Planning Commission of the County of Humboldt certifying compliance with the California Environmental Quality Act and conditionally approves the Platinum King Farms, LLC, Special Permit and Conditional Use Permit request

WHEREAS, **Platinum King Farms, LLC,** submitted an application and evidence in support of approving a Special Permit for a total of 30,000 square feet of mixed light cannabis cultivation to occur on APN 104-071-005 with appurtenant propagation and processing activities, and a Conditional Use Permit for off-site processing of cannabis from permitted cannabis farms to occur in the commercial processing facility located on an unpaved category 4 road;

WHEREAS, the County Planning Division, the lead agency, prepared an Addendum to the Final Environmental Impact Report prepared for the Commercial Cannabis Land Use Ordinance (CCLUO) adopted by the Humboldt County Board of Supervisors on May 8, 2018. The proposed project does not present substantial changes that would require major revisions to the Environmental Impact Report. No new information of substantial importance that was not known and could not be known at the time was presented as described by §15162(c) of CEQA Guidelines; and

WHEREAS, the Humboldt County Planning Commission held a duly noticed public hearing on September 2, 2021and reviewed, considered, and discussed the application for a Special Permit and 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:** The application is for one Special Permit to allow for 30,000 square feet of mixed light cannabis cultivation on APN 104-071-005 with appurtenant propagation and processing activities, as well as a Conditional Use Permit for off-site processing of cannabis from permitted cannabis farms. Power is provided by PG&E Water sources and storage occur on the neighboring parcel (APN 104-071-004) under the same ownership, with irrigation water provided by rainwater catchment and two existing wells.

   EVIDENCE: a) Project Files: PLN-2018-15200

2. **FINDING:** **CEQA.** The requirements of the California Environmental Quality Act have been complied with. The Humboldt County Planning Commission has considered the Addendum to the Environmental Impact Report (EIR) prepared for the Commercial Cannabis Land Use Ordinance (CCLUO) adopted by the Humboldt County Board of Supervisors on May 8, 2018.

   EVIDENCE: a) Addendum Prepared for the proposed project.

   b) The proposed project does not present substantial changes that would require major revisions to the previous EIR. No new information of substantial importance that was not known and could not be known

at the time was presented as described by §15162(c) of CEQA Guidelines.

c) A *Cultural Resources Investigation* (CRI) prepared by Roscoe and Associates, dated February of 2020 to show the project will not have a direct or indirect impact on cultural resources.

d) A Site Management Plan, prepared by Rinehart Engineering, dated July 25, 2019, demonstrating compliance with the State Water Quality Control Board Order WQ 2017-0023.

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 CCLUO identified Agricultural Exclusive (AE)zoned parcels, five acres or larger, as sites where new cannabis cultivation activities could be allowed. The proposed cannabis cultivation, an agricultural product, is within land planned and zoned for agricultural purposes, consistent with the use of Open Space land for managed production of resources. The use of an agricultural parcel for commercial agriculture is consistent with the Open Space Plan and Open Space Action Program. Therefore, the project is consistent with and complimentary to the Open Space Plan and its Open Space Action Program.

4. FINDING The proposed development is consistent with the purposes of the existing Agricultural Exclusive (AE) zoned portion of the parcel in which the site is to be located.

EVIDENCE

a) Humboldt County Code section 314-55.4.6.1.2(b)(2). allows cultivation of up to 43,560 sq. ft. of Cultivation Area with a Special Permit on a parcel over 10 acres. The application is for 30,000 square feet of new mixed light commercial cannabis cultivation on a 160-acre parcel.

b) Humboldt County Code section 314-55.4.7.1 off-site processing is principally permitted in Agriculture Exclusive (AE) zones when meeting all applicable performance standards, eligibility criteria, and siting criteria.

c) The location of all project elements meet the setback requirements for the AE and TPZ zones.

d) The proposed development is consistent with the purposes of the existing Agriculture Exclusive (AE) zoning in which the site is proposed.

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

EVIDENCE

a) The applicant's primary energy source is PG&E, purchased through the Redwood Coast Energy Authority's RePower+ electricity service to ensure that the project runs on 100% renewable energy.

b) The subject parcel has been determined to be a distinct legal parcel as described in Patent 1075.

c) The project will obtain irrigation water from rainwater catchment and two permitted wells (permit nos. 16/17-0047 and 16/17-0648), which are non-diversionary water sources. All water storage and sources will be present on the neighboring parcel (APN 104-071-004).

d) The property is accessed via Reynolds Road, a road connected to the county-maintained road Mattole Road. The applicant submitted a road evaluation report prepared by Rinehart Engineering, dated July 17th, 2019. The applicant will be the only permit holder on Reynolds Road, and as such a Road Maintenance Association is not necessary. The road evaluation report states that the first section of Reynolds Road, from Mattole Road to the project site (1.1 miles) meets Category 4 standards. The roads on APN 104-071-004 will be improved to meet the recommended engineer standards outlined in the road evaluation report prior to any cultivation activities. All road improvements will adhere to engineer recommendations in the road evaluation plan, unless otherwise directed by the State Water Quality Control Board (SWQCB). The project was referred to the Department of Public Works on September 16th, 2019. The Department of Public Works recommend the following: the applicant shall ensure all driveways and private road intersections onto the County Road shall be maintained in accordance with County Code Section 341-1 (Sight Visibility Ordinance); and the applicant shall pave the surface of Reynolds Road for a minimum width of 20 feet and a length of 50 feet where it intersects the County Road. The project is conditioned to implement and adhere to all recommendations made by the Department of Public Works.

f) The location of the cultivation complies with all setbacks required in Section 314-55.4.6.4.4. (a.-f.). It is more than 30 feet from any property line, more than 300 feet from any off-site residence, more than 270 feet from any adjacent undeveloped separately owned parcel, and more than 600 feet from any school, church, public park or Tribal Cultural Resource.

g) The proposed off-site processing facility is a principally permitted use in Agriculture Exclusive (AE) zones. The processing facility meets all applicable Performance Standards, as well as the Eligibility Criteria in Sections 55.4.6.3.1 and 55.4.6.3.2 and the Siting Criteria specified in Sections 55.4.6.4.1, 55.4.6.4.2, and 55.4.6.4.3.

h) Humboldt County WebGIS shows the cultivation area as having slopes less than 15%.

i) The applicant submitted a *Biological Report* Prepared by Natural Resources Management Corporation, dated August 30th, 2019. The attached report outlines the sensitive species that may be affected by the project and pertinent mitigation and management measures.

j) Provisions have been included within the applicant's *Cultivation and Operations Plan* addressing both the effective recycling and eventual disposal of spent soils, as well as stormwater management.

k) The applicant has proposed improvements to leach fields in the septic system in order to meet the standards required for a commercial processing building and employee housing.

l) Lights within greenhouses will be shielded to reduce the likelihood of light spillover, and a tarp protocol will be employed that requires all light deprivation tarps to be drawn before any lights are turned on.

m) The applicant submitted a *Noise Assessment* detailing ambient noise levels at three property lines, and within 100' of cultivation sites. Noise levels will not be increased by more than 3 dB during cultivation.

n) The applicant submitted an *Invasive Species Management Plan*, prepared by Natural Resources Management dated August 30th, 2019, documenting the presence and location of identified invasive species, as well as appropriate removal methods and subsequent maintenance strategies.

o) Humboldt County Code section 314-55.4.7 allows cannabis support facilities provided they meet or exceed setbacks from Sensitive Receptors and Tribal Ceremonial Sites. The proposed processing facility meets all required setbacks.

p) Humboldt County Code section 314-55.4.7.1 states off-site processing is principally permitted in Agriculture Exclusive (AE) zones when meeting all applicable performance standards, eligibility criteria, and siting criteria. The proposed processing facility is located within the AE zoned area of the parcel.

q) Humboldt County Code section 314-55.4.7.3 states that all Cannabis Support Facilities must be located on a paved road with a centerline stripe or a paved road meeting category 4 standards. Exceptions may be sought via a Conditional Use Permit provided the applicant provides an evaluation prepared by a licensed engineer to demonstrate that the road meets fire safe road access, capacity to support anticipated traffic volumes, water quality objectives, and protection of habitat. The applicant submitted a *Road Evaluation Report* prepared by Rinehart Engineering demonstrating that the road is category 4 equivalent which meets Cal Fire standards, and all maintenance and recommendations are in line with best management practices from Five Counties Salmonid Conservation Roads Maintenance Manual to protect water quality as well as aquatic, reptilian, amphibious, and aquatic invertebrate wildlife. Rinehart Engineering has independently verified the road will meet the anticipated traffic volumes.

6. FINDING

The proposed 30,000 square feet of new mixed light cannabis cultivation and processing activities to occur on APN 104-071-005 and the conditions under which it may be operated or maintained will not be detrimental to the public health, safety, or welfare or materially

injurious to properties or improvements in the vicinity.

EVIDENCE a) The site is located on road that has been certified by a licensed engineer to safely accommodate the amount of traffic generated by the proposed cannabis cultivation and processing for permitted cannabis farms.

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

c) The location of the proposed cannabis cultivation is more than 300 feet from the nearest off-site residence and more than 270 feet from any adjacent undeveloped separately owned parcel.

d) There will be a maximum of twelve (12) employees in addition to the owners working onsite. Employees will reside onsite in a 1,620-square-foot modular residence (once permitted) in order to reduce the amount of traffic onto and off the site.

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.

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 Special Permit and Conditional Use Permit for Platinum King Farms 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 September 2, 2021.

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

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

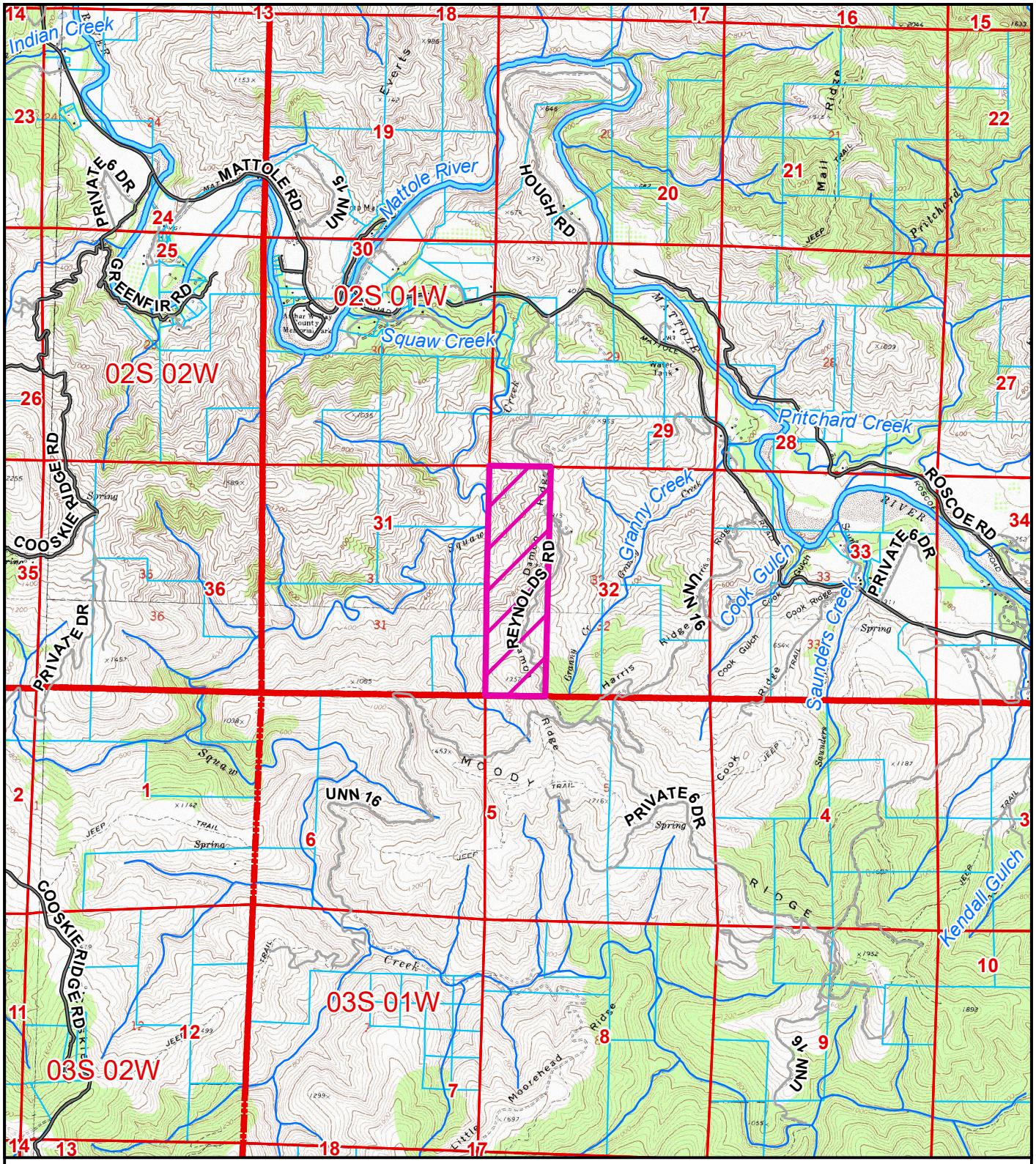
ABSENT: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

DECISION:

I, John H. 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 H. Ford, Director
Planning and Building Department



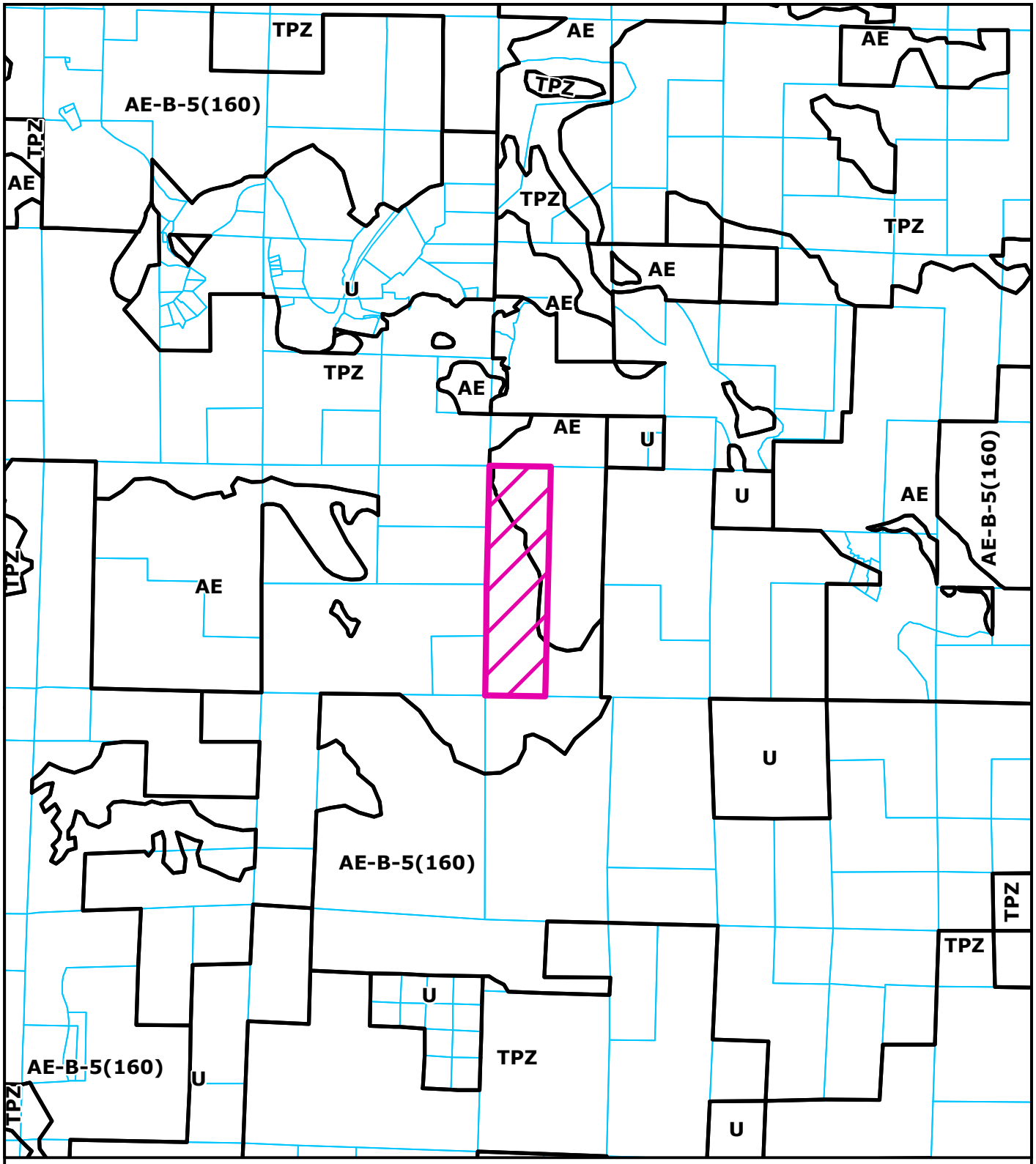
TOPO MAP
PROPOSED FREERANGE HOLDINGS LLC CO
Petrolia AREA
PLN--2018-15196
APN: 104-071-004-000
T02S R01W S32 HB&M (BUCKEYE MTN)

Project Area =

N

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

0 0.325 0.65 1.3 Miles



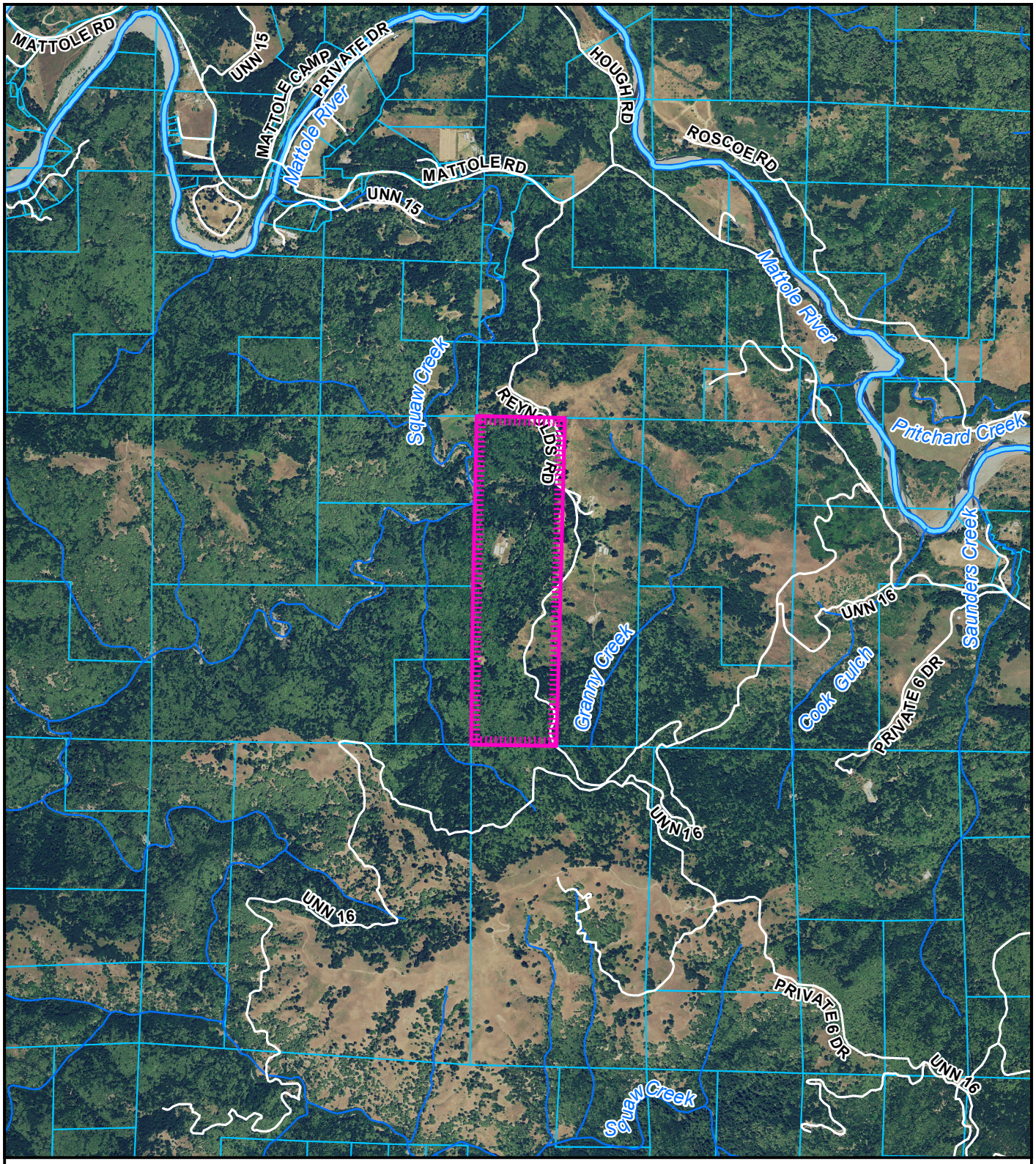
ZONING MAP
PROPOSED FREERANGE HOLDINGS LLC CO
Petrolia AREA
PLN--2018-15196
APN: 104-071-004-000
T02S R01W S32 HB&M (BUCKEYE MTN)

Project Area =

N

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

0 0.325 0.65 1.3 Miles



AERIAL MAP
PROPOSED FREERANGE HOLDINGS LLC CO
Petrolia AREA
PLN--2018-15196
APN: 104-071-004-000
T02S R01W S32 HB&M (BUCKEYE MTN)

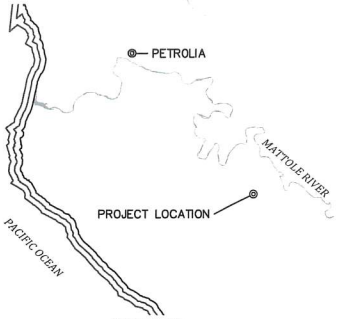
Project Area =

N

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

0 1,000 2,000 4,000 Feet

PLATINUM KING FARMS, LLC



VICINITY
NOT TO SCALE

DIRECTIONS TO SITE:
FROM PETROLIA, CONTINUE ON MATTOLE ROAD FOR APPROXIMATELY 7.8 MILES. TURN RIGHT ON FIRST ROAD PAST THE A.W. WAY CAMPGROUND ON THE RIGHT TO ACCESS SITE.

SITE ADDRESS:
37773 MATTOLE ROAD
PETROLIA, CA 95558
APN: 104-071-004
104-071-005

APPLICANT:
FREE RANGE HOLDINGS LLC
37773 MATTOLE ROAD
PETROLIA, CA 95558

RECEIVED
JUL 20 2021
Humboldt County
Cannabis Svcs.

PROJECT DESCRIPTION:
THE COMMERCIAL CANNABIS CULTIVATION OPERATION AND COMMERCIAL PROCESSING OPERATION (PROJECT) IS OWNED AND OPERATED BY PLATINUM KING FARMS LLC. THE PROJECT TAKES PLACE ON TWO PARCELS TOTALING ±333 ACRES NEAR PETROLIA, CA. THE PROJECT CONSISTS OF 24,500 SQ. FT. OF EXISTING OUTDOOR AND MIXED LIGHT CULTIVATION AND 30,000 SQ. FT OF NEW MIXED LIGHT CULTIVATION. THE TOTAL CULTIVATION AREA IS 54,500 SQ. FT. AS PERMISSIBLE UNDER HUMBOLDT COUNTY CODE 314-55.4.6.5 AND 341-55.4.6.1.2 (b). PROJECT ALSO INCLUDES A 5,450 SQ. FT. NURSERY

GENERAL NOTES:

1. DRAWING SCALE AS NOTED. WRITTEN DIMENSIONS SHALL TAKE PRECEDENCE OVER SCALE DIMENSIONS
2. BOUNDARY DATA ACQUIRED THROUGH HUMBOLDT COUNTY 2015 GIS DATA. ALL BOUNDARIES ARE APPROXIMATE AND HAVE NOT BEEN VERIFIED OR SURVEYED.

TOTAL CULTIVATION AREA:	30,000 SQ. FT. (APN 104-071-005) 24,500 SQ. FT. (APN 104-071-004) (8,800 OUTDOOR, 15,700 MIXED LIGHT)
PROPOSED FILL VOLUME:	±2,800 CY
PROPOSED GRADING VOLUME:	±24,000 CY
TREES TO BE REMOVED:	0
WATER COURSES TO BE AFFECTED:	0

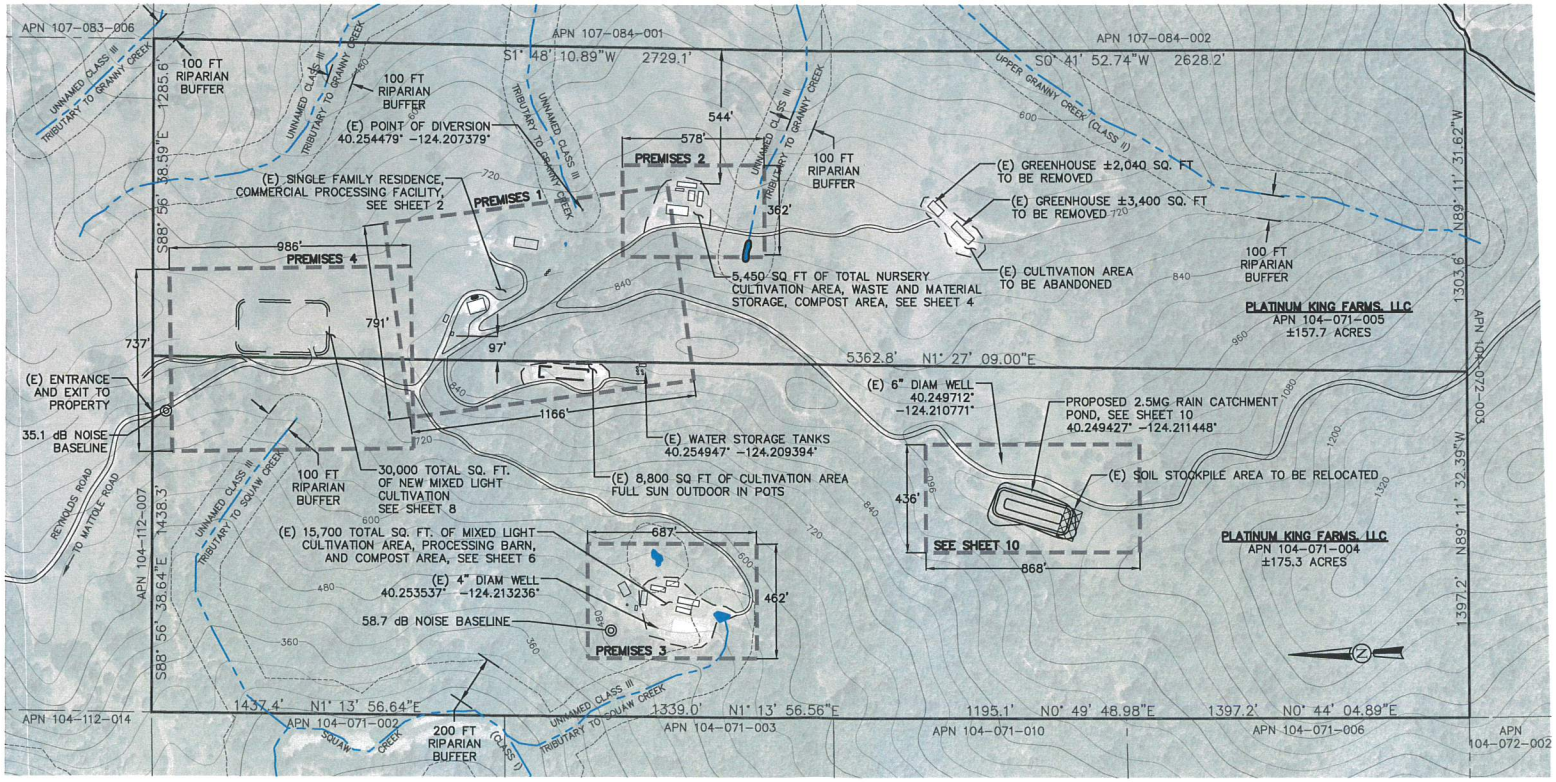
ALL WATER STORAGE IS PRIVATE

LAND STATUS (104-071-004-000):	PORTION TPZ, WWD, IMPROVED
LAND STATUS (104-071-005-000):	PORTION TPZ, WWD, IMPROVED

LEGEND

— — —	PARCEL BOUNDARY	———	STRUCTURES
———	SUBJECT PARCEL BOUNDARY	— — — —	GRADED EXTENTS/TREE LINE
—240—	120' CONTOUR	— — — —	100 FT NOISE RADIUS
———	40' CONTOUR	═══	ROADS
— — —	STREAM CENTERLINE	→	ROAD SURFACE DRAINAGE
- - - - -	RIPARIAN BUFFER		TIMBER CONVERSION AREA

A-9
DETAIL VIEW — SHEET NUMBER



PROPERTY DIAGRAM
0 250' 500'
GRAPHIC SCALE

REV	DESCRIPTION	BY	DATE

REVISIONS

REGISTERED PROFESSIONAL ENGINEER RICHARD RINEHART No. 76375 Exp. 09-30-23 CIVIL STATE OF CALIFORNIA

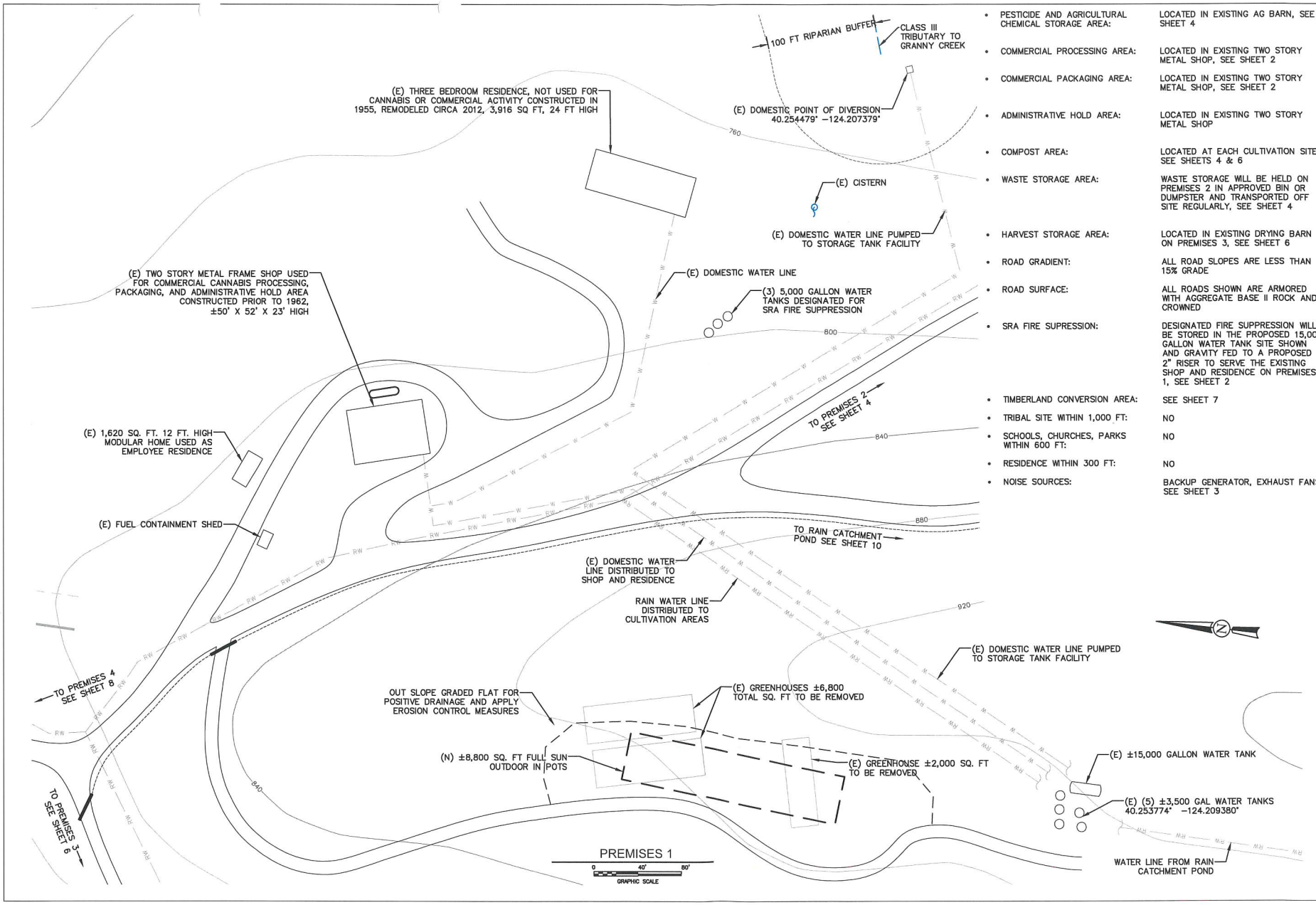
RINEHART ENGINEERING
(707) 498-3414
RINEHARTENGINEERING@GMAIL.COM

PLATINUM KING FARMS LLC - SITE PLAN
APN'S 104-071-004 & 005

CLIENT: PLATINUM KING FARMS, LLC
37773 MATTOLE ROAD
PETROLIA, CA 95558

JOB NUMBER

DRAWING
1 OF 10



• PESTICIDE AND AGRICULTURAL CHEMICAL STORAGE AREA:	LOCATED IN EXISTING AG BARN, SEE SHEET 4
• COMMERCIAL PROCESSING AREA:	LOCATED IN EXISTING TWO STORY METAL SHOP, SEE SHEET 2
• COMMERCIAL PACKAGING AREA:	LOCATED IN EXISTING TWO STORY METAL SHOP, SEE SHEET 2
• ADMINISTRATIVE HOLD AREA:	LOCATED IN EXISTING TWO STORY METAL SHOP
• COMPOST AREA:	LOCATED AT EACH CULTIVATION SITE, SEE SHEETS 4 & 6
• WASTE STORAGE AREA:	WASTE STORAGE WILL BE HELD ON PREMISES 2 IN APPROVED BIN OR DUMPSTER AND TRANSPORTED OFF SITE REGULARLY, SEE SHEET 4
• HARVEST STORAGE AREA:	LOCATED IN EXISTING DRYING BARN ON PREMISES 3, SEE SHEET 6
• ROAD GRADIENT:	ALL ROAD SLOPES ARE LESS THAN 15% GRADE
• ROAD SURFACE:	ALL ROADS SHOWN ARE ARMORED WITH AGGREGATE BASE II ROCK AND CROWNED
• SRA FIRE SUPRESSION:	DESIGNATED FIRE SUPPRESSION WILL BE STORED IN THE PROPOSED 15,000 GALLON WATER TANK SITE SHOWN AND GRAVITY FED TO A PROPOSED 2" RISER TO SERVE THE EXISTING SHOP AND RESIDENCE ON PREMISES 1, SEE SHEET 2
• TIMBERLAND CONVERSION AREA:	SEE SHEET 7
• TRIBAL SITE WITHIN 1,000 FT:	NO
• SCHOOLS, CHURCHES, PARKS WITHIN 600 FT:	NO
• RESIDENCE WITHIN 300 FT:	NO
• NOISE SOURCES:	BACKUP GENERATOR, EXHAUST FANS, SEE SHEET 3

REVISIONS

REV	DESCRIPTION	BY	DATE

REGISTERED PROFESSIONAL ENGINEER BRENT RINEHART No. 76375 Exp. 06-30-23 STATE OF CALIFORNIA CIVIL

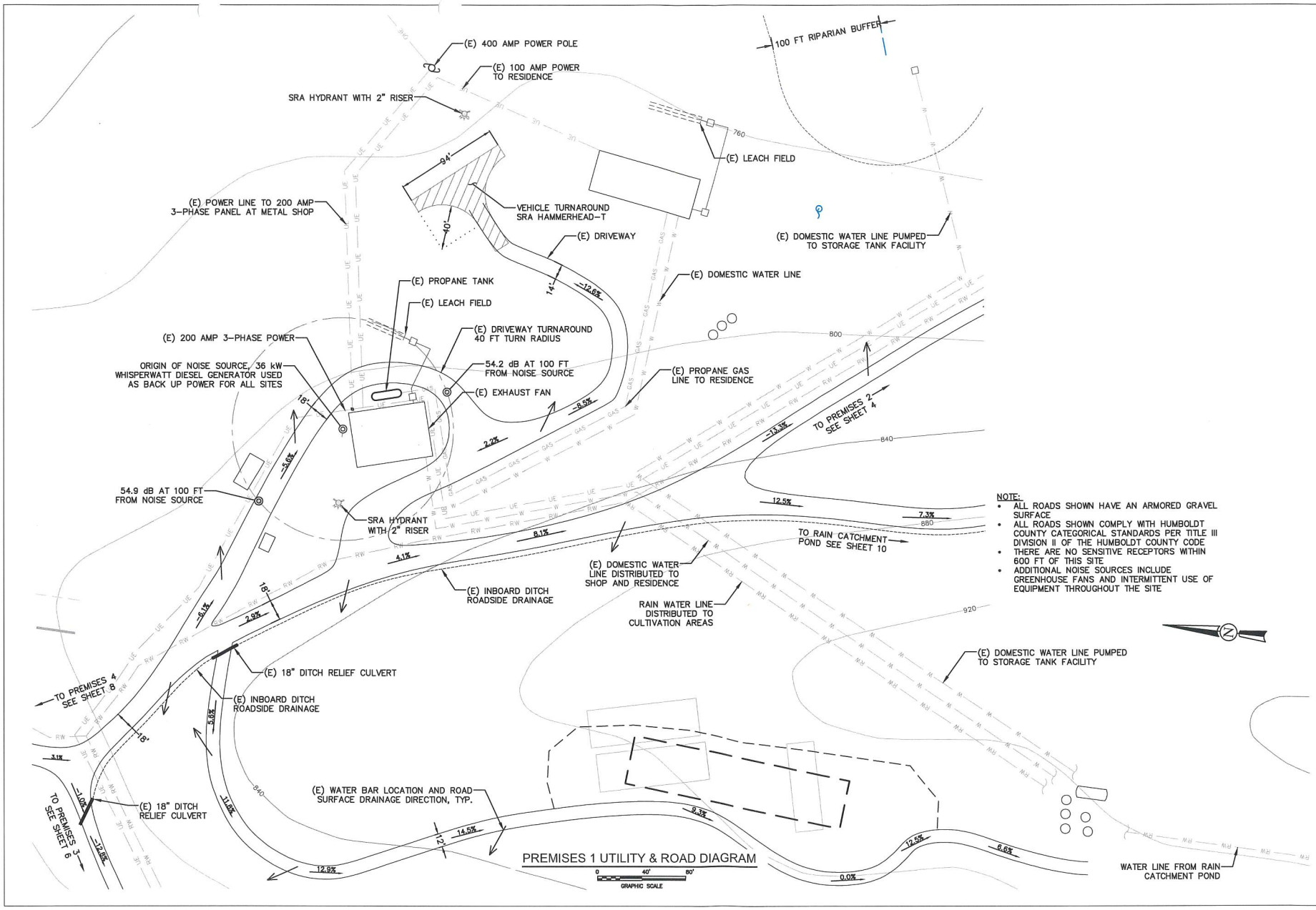
RINEHART ENGINEERING
(707) 498-3414
RINEHARTENGINEERING@GMAIL.COM

PLATINUM KING FARMS LLC – SITE PLAN
APN'S 104-071-004 & 005

CLIENT: PLATINUM KING FARMS, LLC
37773 MATTOLE ROAD
PETROLIA, CA 95558

JOB NUMBER

DRAWING
2 OF 10



NOTE:

- ALL ROADS SHOWN HAVE AN ARMORED GRAVEL SURFACE
- ALL ROADS SHOWN COMPLY WITH HUMBOLDT COUNTY CATEGORICAL STANDARDS PER TITLE III DIVISION II OF THE HUMBOLDT COUNTY CODE
- THERE ARE NO SENSITIVE RECEPTORS WITHIN 600 FT OF THIS SITE
- ADDITIONAL NOISE SOURCES INCLUDE GREENHOUSE FANS AND INTERMITTENT USE OF EQUIPMENT THROUGHOUT THE SITE

REVISIONS

REV	DESCRIPTION	BY	DATE

REGISTERED PROFESSIONAL ENGINEER RYAN RINEHART No. 76375 Exp. 06-30-23 CIVIL STATE OF CALIFORNIA

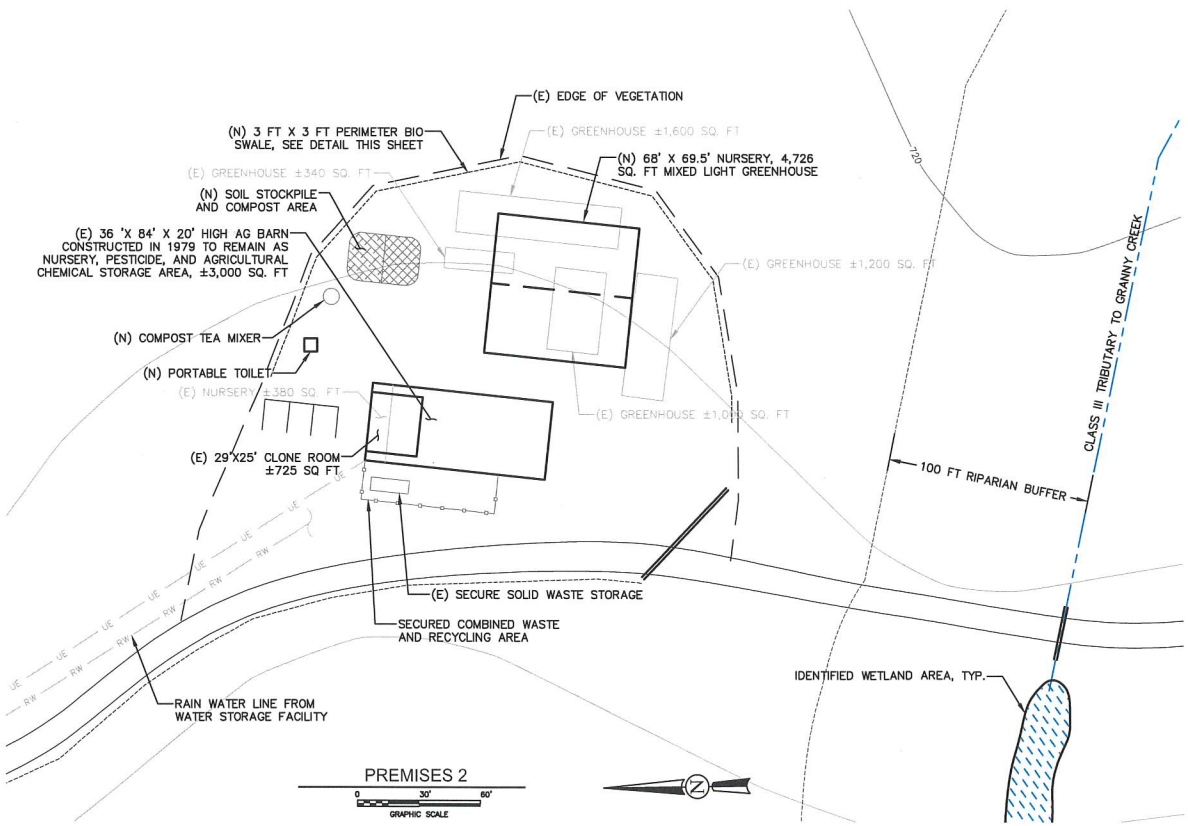
RINEHART ENGINEERING
(707) 498-3414
RINEHARTENGINEERING@GMAIL.COM

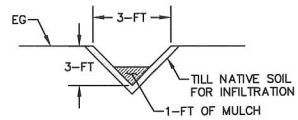
PLATINUM KING FARMS LLC – SITE PLAN
APN'S 104-071-004 & 005

CLIENT: PLATINUM KING FARMS, LLC
37773 MATTOLE ROAD
PETROLIA, CA 95558

JOB NUMBER

DRAWING
3 OF 10





BIO SWALE DETAIL

NOT TO SCALE

- PESTICIDE AND AGRICULTURAL CHEMICAL STORAGE AREA: LOCATED IN EXISTING AG BARN, SEE SHEET 4
- COMMERCIAL PROCESSING AREA: LOCATED IN EXISTING TWO STORY METAL SHOP, SEE SHEET 2
- COMMERCIAL PACKAGING AREA: LOCATED IN EXISTING TWO STORY METAL SHOP, SEE SHEET 2
- ADMINISTRATIVE HOLD AREA: LOCATED IN EXISTING TWO STORY METAL SHOP, SEE SHEET 2
- COMPOST AREA: LOCATED AT EACH CULTIVATION SITE, SEE SHEETS 4 & 6
- WASTE STORAGE AREA: WASTE STORAGE WILL BE HELD ON PREMISES 2 IN APPROVED BIN OR DUMPSTER AND TRANSPORTED OFF SITE REGULARLY, SEE SHEET 4
- HARVEST STORAGE AREA: LOCATED IN EXISTING DRYING BARN ON PREMISES 3, SEE SHEET 6
- ROAD GRADIENT: ALL ROAD SLOPES ARE LESS THAN 15% GRADE
- ROAD SURFACE: ALL ROADS SHOWN ARE ARMORED WITH AGGREGATE BASE II ROCK AND CROWNED
- SRA FIRE SUPRESSION: DESIGNATED FIRE SUPPRESSION WILL BE STORED IN THE PROPOSED 15,000 GALLON WATER TANK SITE SHOWN AND GRAVITY FED TO A PROPOSED 2" RISER TO SERVE THE EXISTING SHOP AND RESIDENCE ON PREMISES 1, SEE SHEET 2
- TIMBERLAND CONVERSION AREA: SEE SHEET 7
- TRIBAL SITE WITHIN 1,000 FT: NO
- SCHOOLS, CHURCHES, PARKS WITHIN 600 FT: NO
- RESIDENCE WITHIN 300 FT: NO
- NOISE SOURCES: GREENHOUSE FANS, COMPOST TEA MIXER, SEE SHEET 5

REVISIONS

REV	DESCRIPTION	BY	DATE

REGISTERED PROFESSIONAL ENGINEER RICHARD KINEHART No. 76375 Exp. 06-30-23 STATE OF CALIFORNIA CIVIL

RINEHART ENGINEERING
(707) 498-3414
RINEHARTENGINEERING@GMAIL.COM

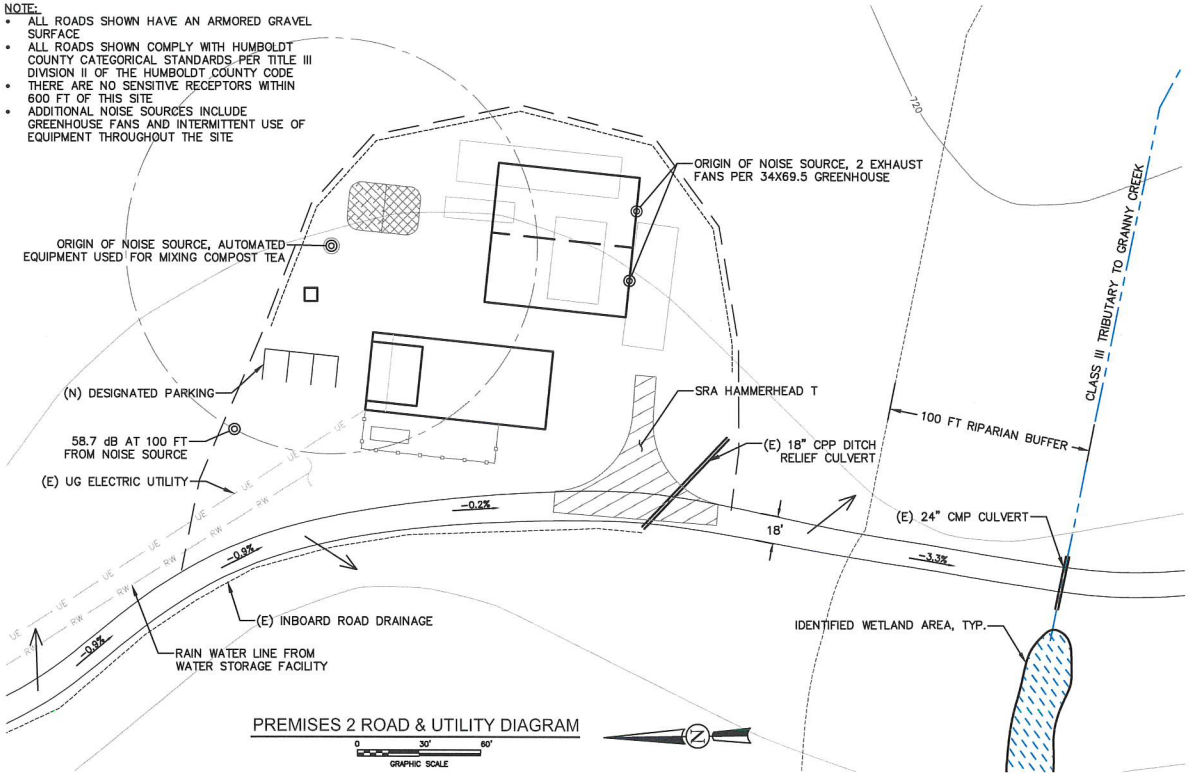
PLATINUM KING FARMS LLC – SITE PLAN
APN'S 104-071-004 & 005

CLIENT: PLATINUM KING FARMS, LLC
37773 MATTOLE ROAD
PETROLIA, CA 95558

JOB NUMBER

DRAWING
4 OF 10

NOTE:
- ALL ROADS SHOWN HAVE AN ARMORED GRAVEL SURFACE
- ALL ROADS SHOWN COMPLY WITH HUMBOLDT COUNTY CATEGORICAL STANDARDS PER TITLE III DIVISION II OF THE HUMBOLDT COUNTY CODE
- THERE ARE NO SENSITIVE RECEPTORS WITHIN 600 FT OF THIS SITE
- ADDITIONAL NOISE SOURCES INCLUDE GREENHOUSE FANS AND INTERMITTENT USE OF EQUIPMENT THROUGHOUT THE SITE



PREMISES 2 ROAD & UTILITY DIAGRAM

REVISIONS			
REV	DESCRIPTION	BY	DATE

REGISTERED PROFESSIONAL ENGINEER RINEHART No. 70375 Exp. 07-30-23 CIVIL STATE OF CALIFORNIA

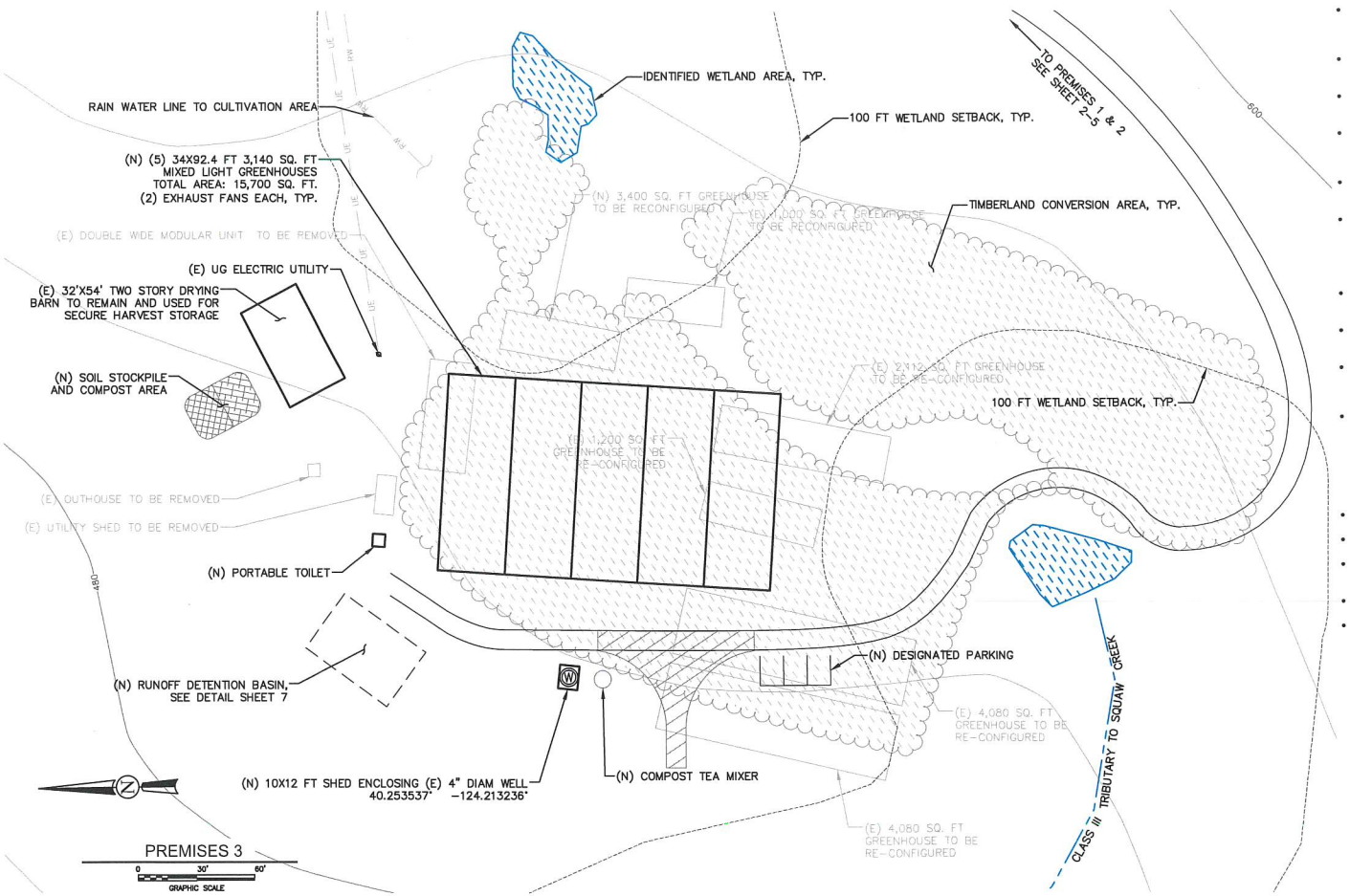
RINEHART ENGINEERING
(707) 498-3414
RINEHARTENGINEERING@GMAIL.COM

PLATINUM KING FARMS LLC - SITE PLAN
APN'S 104-071-004 & 005

CLIENT: PLATINUM KING FARMS, LLC
37773 MATTOLE ROAD
PETROLIA, CA 95558

JOB NUMBER

DRAWING
5 OF 10



• PESTICIDE AND AGRICULTURAL CHEMICAL STORAGE AREA:	LOCATED IN EXISTING AG BARN, SEE SHEET 4
• COMMERCIAL PROCESSING AREA:	LOCATED IN EXISTING TWO STORY METAL SHOP, SEE SHEET 2
• COMMERCIAL PACKAGING AREA:	LOCATED IN EXISTING TWO STORY METAL SHOP, SEE SHEET 2
• ADMINISTRATIVE HOLD AREA:	LOCATED IN EXISTING TWO STORY METAL SHOP, SEE SHEET 2
• COMPOST AREA:	LOCATED AT EACH CULTIVATION SITE, SEE SHEETS 4 & 6
• WASTE STORAGE AREA:	WASTE STORAGE WILL BE HELD ON PREMISES 2 IN APPROVED BIN OR DUMPSTER AND TRANSPORTED OFF SITE REGULARLY, SEE SHEET 4
• HARVEST STORAGE AREA:	LOCATED IN EXISTING DRYING BARN ON PREMISES 3, SEE SHEET 6
• ROAD GRADIENT:	ALL ROAD SLOPES ARE LESS THAN 15% GRADE
• ROAD SURFACE:	ALL ROADS SHOWN ARE ARMORED WITH AGGREGATE BASE II ROCK AND CROWNED
• SRA FIRE SUPRESSION:	DESIGNATED FIRE SUPPRESSION WILL BE STORED IN THE PROPOSED 15,000 GALLON WATER TANK SITE SHOWN AND GRAVITY FED TO A PROPOSED 2" RISER TO SERVE THE EXISTING SHOP AND RESIDENCE ON PREMISES 1, SEE SHEET 2
• TIMBERLAND CONVERSION AREA:	SEE SHEET 7
• TRIBAL SITE WITHIN 1,000 FT:	NO
• SCHOOLS, CHURCHES, PARKS WITHIN 600 FT:	NO
• RESIDENCE WITHIN 300 FT:	NO
• NOISE SOURCES:	GREENHOUSE EXHAUST FANS, COMPOST TEA MIXER, FANS & DEHUMIDIFIERS IN DRYING BARN, WELL PUMP. SEE SHEET 7

REVISIONS

REV	DESCRIPTION	BY	DATE

REGISTERED PROFESSIONAL ENGINEER RICHARD RINEHART No. 70375 Exp. 09-30-25 CIVIL STATE OF CALIFORNIA

RINEHART ENGINEERING
(707) 498-3414
RINEHARTENGINEERING@GMAIL.COM

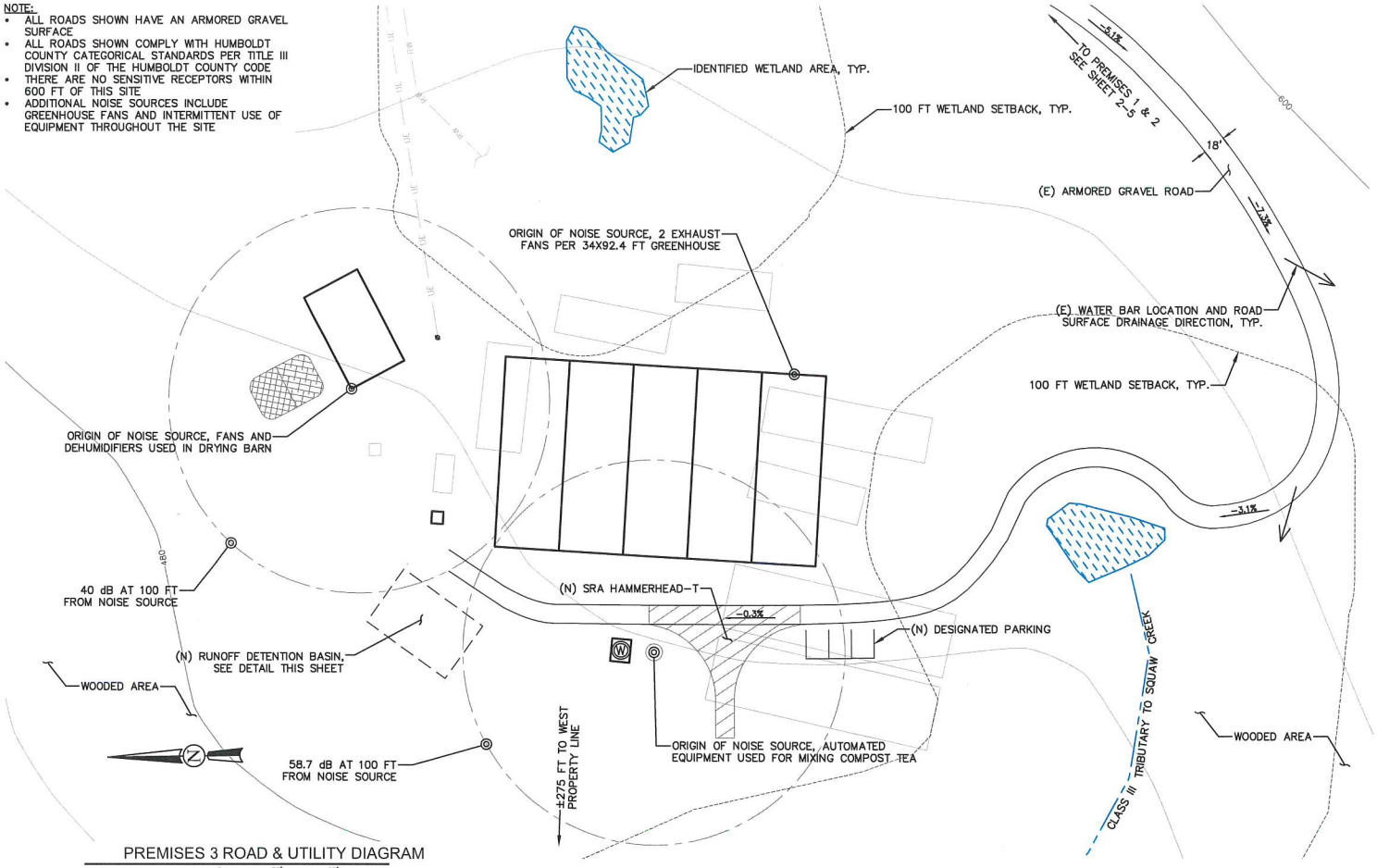
PLATINUM KING FARMS LLC – SITE PLAN
APN'S 104-071-004 & 005

CLIENT: PLATINUM KING FARMS, LLC
37773 MATTOLE ROAD
PETROLIA, CA 95558

JOB NUMBER

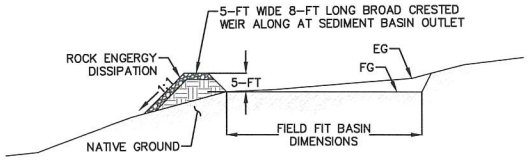
DRAWING
6 OF 10

NOTE:
- ALL ROADS SHOWN HAVE AN ARMORED GRAVEL SURFACE
- ALL ROADS SHOWN COMPLY WITH HUMBOLDT COUNTY CATEGORICAL STANDARDS PER TITLE III DIVISION II OF THE HUMBOLDT COUNTY CODE
- THERE ARE NO SENSITIVE RECEPTORS WITHIN 600 FT OF THIS SITE
- ADDITIONAL NOISE SOURCES INCLUDE GREENHOUSE FANS AND INTERMITTENT USE OF EQUIPMENT THROUGHOUT THE SITE



PREMISES 3 ROAD & UTILITY DIAGRAM

0 30' 60'
GRAPHIC SCALE



DETENTION BASIN DETAIL

NOT TO SCALE

REV	DESCRIPTION	BY	DATE

REVISIONS

REGISTERED PROFESSIONAL ENGINEER RICHARD RINEHART No. 70375 Exp. 09-30-20 CIVIL STATE OF CALIFORNIA

RINEHART ENGINEERING
(707) 498-3414
RINEHARTENGINEERING@GMAIL.COM

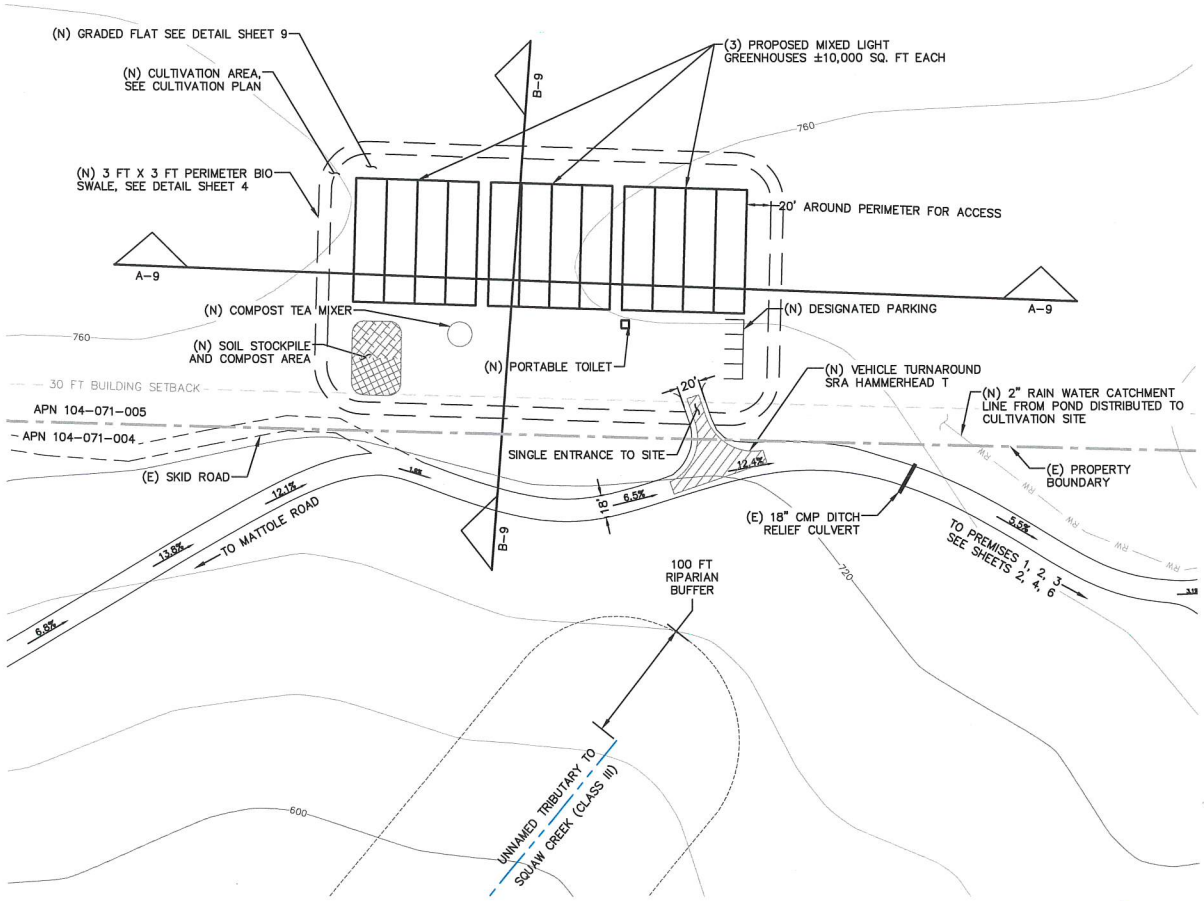
PLATINUM KING FARMS LLC - SITE PLAN
APN'S 104-071-004 & 005

CLIENT: PLATINUM KING FARMS, LLC
37773 MATTOLE ROAD
PETROLIA, CA 95558

JOB NUMBER

DRAWING
7 OF 10

- PESTICIDE AND AGRICULTURAL CHEMICAL STORAGE AREA: LOCATED IN EXISTING AG BARN, SEE SHEET 4
- COMMERCIAL PROCESSING AREA: LOCATED IN EXISTING TWO STORY METAL SHOP, SEE SHEET 2
- COMMERCIAL PACKAGING AREA: LOCATED IN EXISTING TWO STORY METAL SHOP, SEE SHEET 2
- ADMINISTRATIVE HOLD AREA: LOCATED IN EXISTING TWO STORY METAL SHOP, SEE SHEET 2
- COMPOST AREA: LOCATED AT EACH CULTIVATION SITE, SEE SHEETS 4 & 6
- WASTE STORAGE AREA: WASTE STORAGE WILL BE HELD ON PREMISES 2 IN APPROVED BIN OR DUMPSTER AND TRANSPORTED OFF SITE REGULARLY, SEE SHEET 4
- HARVEST STORAGE AREA: LOCATED IN EXISTING DRYING BARN ON PREMISES 3, SEE SHEET 6
- ROAD GRADIENT: ALL ROAD SLOPES ARE LESS THAN 15% GRADE
- ROAD SURFACE: ALL ROADS SHOWN ARE ARMORED WITH AGGREGATE BASE II ROCK AND CROWNED
- SRA FIRE SUPRESSION: DESIGNATED FIRE SUPPRESSION WILL BE STORED IN THE PROPOSED 15,000 GALLON WATER TANK SITE SHOWN AND GRAVITY FED TO A PROPOSED 2" RISER TO SERVE THE EXISTING SHOP AND RESIDENCE ON PREMISES 1, SEE SHEET 2
- TIMBERLAND CONVERSION AREA: SEE SHEET 7
- TRIBAL SITE WITHIN 1,000 FT: NO
- SCHOOLS, CHURCHES, PARKS WITHIN 600 FT: NO
- RESIDENCE WITHIN 300 FT: NO
- NOISE SOURCES: GREENHOUSE FANS, COMPOST TEA MIXER, SEE THIS SHEET



REVISIONS

REV	DESCRIPTION	BY	DATE

REGISTERED PROFESSIONAL ENGINEER RINEHART No. 70375 Exp. 09-30-25 CIVIL STATE OF CALIFORNIA

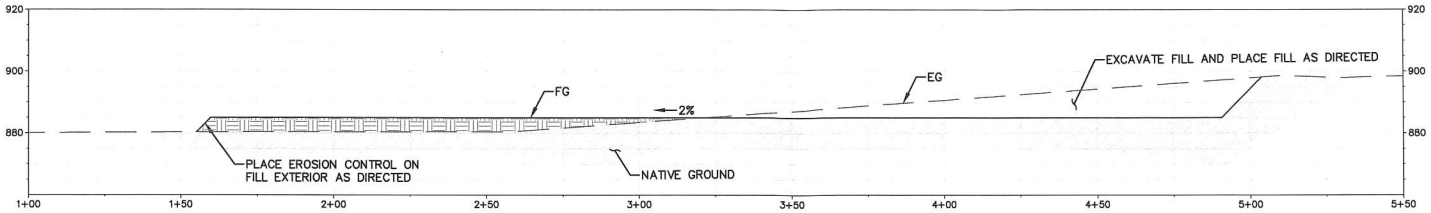
RINEHART ENGINEERING
(707) 498-3414
RINEHARTENGINEERING@GMAIL.COM

PLATINUM KING FARMS LLC – SITE PLAN
APN'S 104-071-004 & 005

CLIENT: PLATINUM KING FARMS, LLC
37773 MATTOLE ROAD
PETROLIA, CA 95558

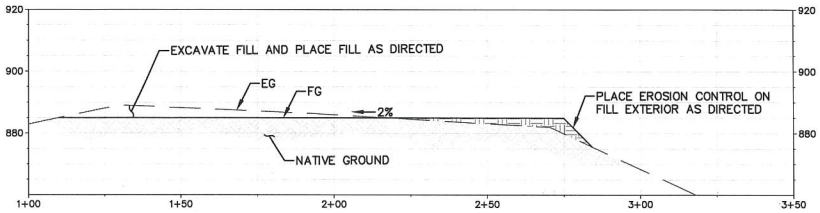
JOB NUMBER

DRAWING
8 OF 10



SECTION VIEW - A

NOT TO SCALE



SECTION VIEW - B

NOT TO SCALE

NOTES:

- LOOSE MATERIAL SHALL BE REMOVED, TRACKED, AND WADDLED AS DIRECTED.
- ALL CORRECTIVE GRADING SHALL CONFORM TO HUMBOLDT COUNTY TITLE III, DIVISION 3, SECTION 331-12
- SLOPES NOT TO EXCEED 1:1 UNLESS SPECIFIED.
- ALL DISTURBED SLOPES SHALL BE STAKED WITH WADDLES EVERY 10-FT, SPREAD WITH STRAW, AND RE-SEEDED WITH APPROVED NATIVE GRASS MIX.
- ALL FINISHED GRADE SHALL MAINTAIN POSITIVE DRAINAGE

GRADED FLAT DETAIL SECTION VIEWS

REVISIONS

REV	DESCRIPTION	BY	DATE

REGISTERED PROFESSIONAL ENGINEER RICHARD RINEHART No. 70325 Exp. 09-30-23 STATE OF CALIFORNIA CIVIL

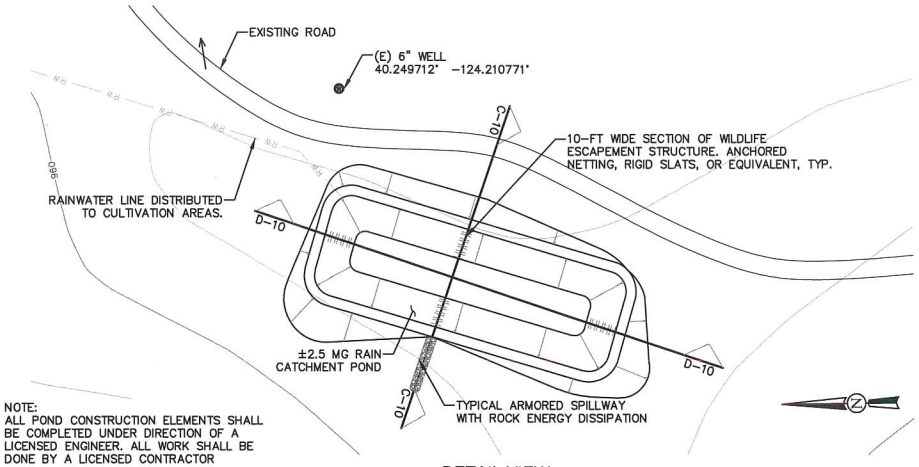
RINEHART ENGINEERING
(707) 498-3414
RINEHARTENGINEERING@GMAIL.COM

PLATINUM KING FARMS LLC - SITE PLAN
APN'S 104-071-004 & 005

CLIENT: PLATINUM KING FARMS, LLC
37773 MATTOLE ROAD
PETROLIA, CA 95558

JOB NUMBER

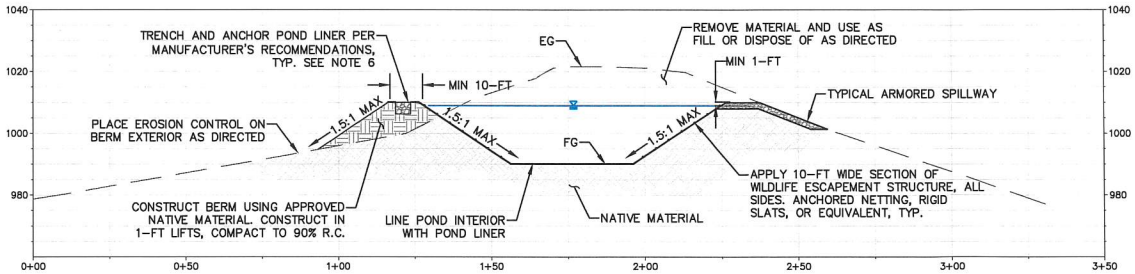
DRAWING
9 OF 10



NOTE:
ALL POND CONSTRUCTION ELEMENTS SHALL BE COMPLETED UNDER DIRECTION OF A LICENSED ENGINEER. ALL WORK SHALL BE DONE BY A LICENSED CONTRACTOR

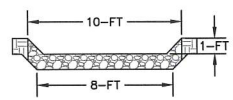
DETAIL VIEW

0 60' 120'
GRAPHIC SCALE



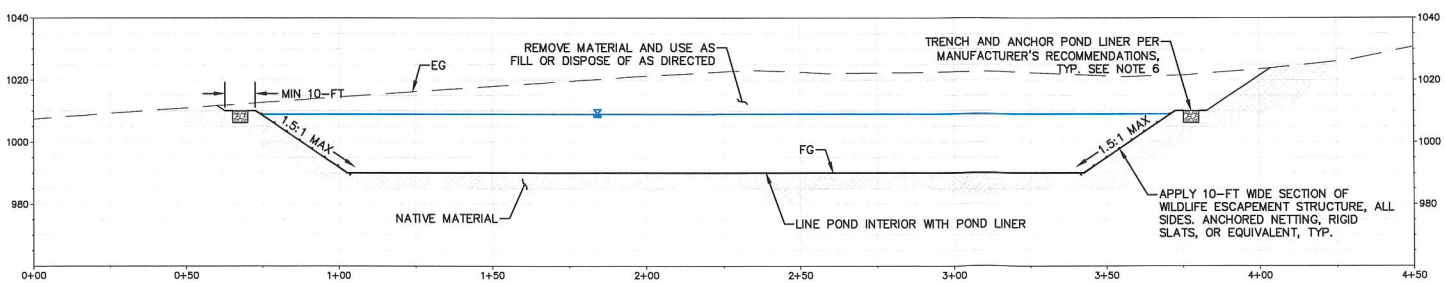
SECTION VIEW - C

NOT TO SCALE



TYPICAL SPILLWAY SECTION

NOT TO SCALE



SECTION VIEW - D

NOT TO SCALE

NOTES:
1. GRADES SHOW DO NOT ACCURATELY REFLECT CURRENT TOPOGRAPHY AND IS NOT A PRODUCT OF TOPOGRAPHIC SURVEY.
2. LOOSE MATERIAL SHALL BE REMOVED, TRACKED, AND WADDLED AS DIRECTED.
3. ALL PROPOSED GRADING SHALL CONFORM TO HUMBOLDT COUNTY TITLE III, DIVISION 3, SECTION 331-12
4. SLOPES NOT TO EXCEED 2:1 FOR REDUCED ENTRAPMENT RISK UNLESS SPECIFIED OTHERWISE.
5. ALL DISTURBED SLOPES SHALL BE STAKED WITH WADDLES EVERY 10-FT, SPREAD WITH STRAW, AND RE-SEEDED WITH APPROVED NATIVE GRASS MIX.
6. INSTALL LINER PER MANUFACTURER'S RECOMMENDATIONS.
7. POND CONSTRUCTION SHALL BE IN COMPLIANCE WITH DESIGN SPECIFICATIONS OUTLINED IN AGRICULTURE HANDBOOK 590 BY THE USDA AND NRCS.

REVISIONS

REV	DESCRIPTION	BY	DATE

REGISTERED PROFESSIONAL ENGINEER RICHARD RINEHART No. 76375 Exp. 06-30-23 CIVIL STATE OF CALIFORNIA

RINEHART ENGINEERING
(707) 498-3414
RINEHARTENGINEERING@GMAIL.COM

PLATINUM KING FARMS LLC - SITE PLAN
APN'S 104-071-004 & 005

CLIENT: PLATINUM KING FARMS, LLC
37773 MATTOLE ROAD
PETROLIA, CA 95558

JOB NUMBER

DRAWING
10 OF 10

ATTACHMENT 1

RECOMMENDED CONDITIONS OF APPROVAL

APPROVAL OF THE SPECIAL PERMIT AND CONDITIONAL USE PERMIT IS CONDITIONED ON THE FOLLOWING TERMS AND REQUIREMENTS WHICH MUST BE SATISFIED BEFORE REALEASE OF THE BUILDING PERMITS OR INITIATION OF OPERATION.

A. Development Restrictions

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

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

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

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

5. The applicant shall ensure all driveways and private road intersections onto the County Road shall be maintained in accordance with County Code Section 341-1 (Sight Visibility Ordinance). This condition shall be completed to the satisfaction of the Department of Public Works prior to commencing operations, final sign-off for building permit, or Public Work approval for a business license. Final sign-off from Public Works will satisfy this condition.

6. The applicant shall pave the surface of Reynolds Road for a minimum width of 20 feet and a length of 50 feet where it intersects the Mattole Road. This condition shall be completed to the satisfaction of the Department of Public Works prior to commencing operations, final sign-off for building permit, or Public Work approval for a business license. Final sign-off from Public Works will satisfy this condition. An encroachment permit shall be obtained from the Department of Public Works Land Use Division prior to initiation of work within the public right-of-way.

7. The applicant shall secure permits for all structures related to the cannabis cultivation and other commercial cannabis activity, including but not limited to, proposed greenhouses, water tanks over 5,000 gallons existing and proposed structures associated with drying and storage or any activity proposing a nexus to cannabis, and any noise containment structures as necessary. The plans submitted for building permit approval shall be consistent with the project description and the approved project site plan. A letter or similar communication

from the Building Division verifying that all structures related to the cannabis cultivation are permitted will satisfy this condition.

8. The applicant shall contact the local fire service provider [Honeydew VFC] and furnish written documentation from that agency of the available emergency response and fire suppression services and any recommended project mitigation measures. Mitigation measures shall be incorporated into the project. If emergency response and fire suppression services are not provided, the applicant shall cause to be recorded an "ACKNOWLEDGMENT OF NO AVAILABLE EMERGENCY RESPONSE AND FIRE SUPPRESSION SERVICES" for the parcel(s) on a form provided by the Humboldt County Planning Division. Document review fees as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors will be required.

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.

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

11. The roads on APN 104-071-005 shall be improved to meet the recommended engineer standards outlined in the road evaluation report. All road improvements will adhere to engineer recommendations in the road evaluation plan, unless otherwise directed as a result of the CDFW Lake and Streambed Alteration agreement (1600-2019-0326-R1) or direction from the North Coast Water Quality Control Board (NCWQCB).

12. Employees shall not occupy the 1,620-square-foot modular home located on the parcel until the appropriate permits are obtained. This condition is not an assertion that permits can be obtained.

13. Prior to any construction activities for this project, the applicant is required to conduct the surveys outlined in the mitigation and management recommendations and adhere to all recommendations of the biological report in accordance with Humboldt County Code. The mitigation and management recommendations are as follows:

    a. If ground-disturbing activities occur between February 1 and August 31, seasonally appropriate, protocol level surveys will need to be conducted to determine presence for golden eagles, Cooper's hawks, and sharp-shinned hawks. An area of 500 feet around the proposed project sites will need to be surveyed for active nests beginning February 1.
    b. Preconstruction surveys for badger burrows or dens will need conducted in suitable grassland habitats slated for conversion within the project sites not more than 30 days prior to the start of construction.
    c. Preconstruction surveys for foothill yellow-legged frogs will need to be conducted 48 hours prior to new development activities within 200 feet of any Stream Management Area or other wet areas. The survey area will include a 400-foot buffer around each of the project sites.
    d. Preconstruction surveys will be required for ground-dwelling songbird species that may have potential to occur in and around the project sites. Surveys for nesting songbirds will be required within 7 days prior to construction start if construction occurs between March 1st and July 31st and need to encompass the area within

200 feet of the project area.

e. If generators will be in use it is required that measures be taken to reduce noise by installing mufflers or erecting sound deflecting acoustic shields or enclosures (secondary containment) with proper ventilation. Decibel meter readings will determine adherence to Humboldt County Ordinance No. 2599 (Humboldt County 2018).

Final signoff from the Planning Department will satisfy this condition.

14. The applicant shall record a contingent easement regarding the ongoing use and maintenance of the proposed rain catchment pond and groundwater wells located on the adjacent parcel (APN 104-071-004). The contingent easement shall ensure that in the event that APN 104-071-004 is transferred to a separate ownership from the subject APN an easement for the use of the pond and wells shall be granted to the subject parcel.

15. Propagation on this parcel is approved to provide for the 10% propagation allowed under Application Number 15196 which is on the adjacent parcel and under the same ownership. In the even that Application 15196 is transferred to a separate owner from this application, the applicant shall reduce the propagation nursery facilities to no more than 3,000 SF.

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

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

2. All artificial lighting shall be fully contained within structures such that no light escapes (e.g., through blackout curtains). Structures shall be enclosed between 30 minutes prior to sunset and 30 minutes after sunrise to prevent disruption to crepuscular wildlife. Security lighting shall be motion activated and comply with the International Dark-Sky Association standards and Fixture Seal of Approval Program; see: https://www.darksky.org/our-work/lighting/lighting-for-citizens/lighting-basics/. Standards include but are not limited to the following, 1) light shall be shielded and downward facing, 2) shall consist of Low Pressure Sodium (LPS) light or low spectrum Light Emitting Diodes (LED) with a color temperature of 3000 kelvins or less and 3) only placed where needed.

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

4. Prohibition on use of synthetic netting. To minimize the risk of wildlife entrapment, Permittee shall not use any cultivation or erosion control materials that contain synthetic (e.g., plastic or nylon) netting, including photo- or biodegradable plastic netting. Geotextiles, fiber rolls, and other erosion control measures shall be made of loose-weave mesh, such as jute, hemp,

coconut (coir) fiber, or other products without welded weaves.

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

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

7. The use of anticoagulant rodenticide is prohibited.

8. The operator shall provide information to all employees about the potential health impacts of cannabis use on children. Information shall be provided by posting the brochures from the Department of Health and Human Services titled "Cannabis Palm Card" and "Cannabis Rack Card." This information shall also be provided to all employees as part of the employee orientation.

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

10. Cannabis cultivation and other commercial cannabis activity shall be conducted in compliance with all laws and regulations as set forth in the CCLUO and MAUCRSA, as applicable to the permit type.

11. If operating pursuant to a written approved compliance agreement, permittee shall abate or cure violations at the earliest feasible date, but in no event no more than two (2) years from the date of issuance of a provisional clearance or permit. Permittee shall provide plans for curing such violations to the Planning and Building Department within one (1) year of issuance of the provisional clearance or permit. If good faith effort toward compliance can be shown within the two years following the issuance of the provisional clearance or permit, the Department may, at the discretion of the Director, provide for extensions of the provisional permit to allow additional time to meet the outstanding requirements.

12. Possession of a current, valid required license, or licenses, issued by any agency of the State of California in accordance with the MAUCRSA, and regulations promulgated thereunder, as soon as such licenses become available.

13. Compliance with all statutes, regulations, and requirements of the California State Water Resources Control Board and the Division of Water Rights, at a minimum to include a statement of diversion of surface water from a stream, river, underground stream, or other watercourse required by Water Code Section 5101, or other applicable permit, license, or registration, as applicable.

14. Confinement of the area of cannabis cultivation, processing, manufacture, or distribution to the locations depicted on the approved site plan. The commercial cannabis activity shall be set back at least 30 feet from any property line, and 600 feet from any school, school bus stop, church or other place of religious worship, or tribal cultural resources, except where a reduction to this setback has been approved pursuant to Section 55.4.11(d).

15. Maintain enrollment in Tier 1 or 2, certification with State Water Quality Control Board (SWQCB) Order WQ 2019-0001-DWQ, if applicable, or any substantially equivalent rule that may be

subsequently adopted by the County of Humboldt or other responsible agency.

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

17. Comply with the terms of a less-than-3-acre conversion exemption or timberland conversion permit, approved by the California Department of Forestry and Fire Protection (Cal Fire), if applicable.

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

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

20. Pay all applicable application, review for conformance with conditions and annual inspection fees.

21. Fuel shall be stored and handled in compliance with applicable state and local laws and regulations, including the County of Humboldt's Certified Unified Program Agency (CUPA) program, and in such a way that no spillage occurs.

22. The master log books maintained by the applicant to track production and sales shall be maintained for inspection by the County.

23. Pay all applicable taxes as required by the Humboldt County Commercial Marijuana Cultivation Tax Ordinance (Humboldt County Code Section 719-1 et seq.).

<u>Performance Standards for Cultivation and Processing Operations</u>

24. Pursuant to Business and Professions Code section 26051.5(a)(8), an applicant seeking a cultivation license shall "provide a statement declaring the applicant is an 'agricultural employer,' as defined in the Alatorre-Zenovich-Dunlap-Berman Agricultural Labor Relations Act of 1975 (Part 3.5 commencing with Section 1140) of Division 2 of the Labor Code), to the extent not prohibited by law."

25. Cultivators shall comply with all applicable federal, state, and local laws and regulations governing California Agricultural Employers, which may include federal and state wage and hour laws, Cal/OSHA, OSHA, the California Agricultural Labor Relations Act, and the Humboldt County Code (including the Building Code).

26. Cultivators engaged in processing shall comply with the following Processing Practices:
    a. Processing operations must be maintained in a clean and sanitary condition including all work surfaces and equipment.
    b. Processing operations must implement protocols which prevent processing contamination and mold and mildew growth on cannabis.
    c. Employees handling cannabis in processing operations must have access to facemasks and gloves in good operable condition as applicable to their job function.
    d. Employees must wash hands sufficiently when handling cannabis or use gloves.

27. All persons hiring employees to engage in commercial cannabis cultivation and processing shall comply with the following Employee Safety Practices:

a. Cultivation operations and processing operations must implement safety protocols and provide all employees with adequate safety training relevant to their specific job functions, which may include:
   (1) Emergency action response planning as necessary;
   (2) Employee accident reporting and investigation policies;
   (3) Fire prevention;
   (4) Hazard communication policies, including maintenance of material safety data sheets (MSDS);
   (5) Materials handling policies;
   (6) Job hazard analyses; and
   (7) Personal protective equipment policies, including respiratory protection.
b. Cultivation operations and processing operations must visibly post and maintain an emergency contact list which includes at a minimum:
   (1) Operation manager contacts;
   (2) Emergency responder contacts; and
   (3) Poison control contacts.
c. At all times, employees shall have access to safe drinking water and toilets and handwashing facilities that comply with applicable federal, state, and local laws and regulations. Plumbing facilities and water source must be capable of handling increased usage without adverse consequences to neighboring properties or the environment.
d. On site-housing provided to employees shall comply with all applicable federal, state, and local laws and regulations.

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

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

30. If the inspector or other County official determines that the permittees or site do not comply with the conditions of approval, the inspector shall serve the permit holder with a written statement identifying the items not in compliance, and the action that the permit holder may take to cure the noncompliance, or file an appeal within ten (10) days of the date that the written statement is delivered to the permit holder. Personal delivery or mailing the written statement to the mailing address listed on the application by regular mail, plus three (3) days

after date of mailing, shall constitute delivery. The permit holder may request a reinspection to determine whether or not the permit holder has cured all issues of noncompliance. Failure to request reinspection or to cure any items of noncompliance shall terminate the Special Permit and Conditional Use Permit, immediately upon the expiration of any appeal period, or final determination of the appeal if an appeal has been timely filed pursuant to Section 55.4.13.

31. Permit Renewals to Comply with Updated Laws and Regulations. Permit renewal is subject to the laws and regulations effective at the time of renewal, which may be substantially different than the regulations currently in place and may require the submittal of additional information to ensure that new standards are met.

32. Acknowledgements to Remain in Full Force and Effect. Permittee acknowledges that the County reserves the right to reduce the size of the area allowed for cultivation under any clearance or permit issued in accordance with this section in the event that environmental conditions, such as a sustained drought or low flows in the watershed in which the cultivation area is located, will not support diversions for irrigation.

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

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

Informational Notes:

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

2. This provisional permit approval shall expire and become null and void at the expiration of one (1) year after all appeal periods have lapsed (see "Effective Date"), except where the Compliance Agreement has been executed and the corrective actions pursuant to the agreement are being undertaken. Once building permits have been secured and/or the use

initiated pursuant to the terms of the agreement, the use is subject to the Permit Duration and Renewal provisions set forth in the Ongoing Requirements/Development Restrictions, above.

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

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

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

ATTACHMENT 2

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

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

APN 104-071-005, 37773 Mattole Road, Petrolia, CA County of Humboldt

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

March 2021

Background

Modified Project Description and Project History –

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

The modified project involves one Special Permit (PLN-2018-15196) for an existing 15,700 square feet of mixed light cannabis cultivation and 8,800 square feet of existing full sun outdoor cultivation, one Special Permit (PLN-2018-15200) for 30,000 square feet of new mixed light cannabis cultivation and a Conditional Use Permit for a commercial processing facility, on an unpaved category 4 road, to allow for off-site commercial processing from other permitted cannabis farms in the area to occur on APN 104-071-005. Propagation will occur on APN 104-071-005 in a proposed 68'x69.5' (4,726 square feet each) greenhouses and an existing 29'x25' (725 square feet) clone room in an existing ag barn. The applicant anticipates a maximum of three cultivation cycles annually for mixed light cultivation, and one annual harvest for full sun outdoor cultivation on APN 104-071-004. The applicant also expects two to three cultivation cycles occurring annually on APN 104-071-005 for the first two years, after which cultivation will occur year-round with an anticipated six (6) harvests annually. Drying will occur on APN 104-071-004 in an existing 32'x54' (1,728 square feet) two story drying barn. Curing, trimming, packaging, and finished cannabis storage will occur on APN 104-071-005 in an existing 50'x52' (2,600 square feet) commercial processing building when the building has been upgraded to meet commercial building standards. The applicant anticipates there will be a maximum of twelve employees in addition to the owners working on the two adjoining parcels. Artificial lighting used for mixed light cultivation and processing will adhere to shielding and International Dark Sky Association standards as set forth in the CCLUO. Power for the projects will be provided by PG&E.

Water for the project will be provided by a proposed 2.5 million gallon rainwater catchment pond and two existing onsite wells, all located on APN 104-071-004. The applicant anticipates 314,324 gallons of water will be required on APN 104-071-004, and 697,778 gallons of water will be required on APN 104-071-005 to provide for annual irrigation needs. Total water use for both projects is 1,012,102 gallons annyally. There are 32,500 gallons of water existing onsite occurring in one (1) 15,000 gallon tank, and five (5) 3,500 gallon tanks, and the applicant is proposing an additional 2.5 million gallon rainwater catchment pond for a total of 2,532,500 gallons of water storage. The

applicant expects 1,550,550 gallons of water will be input to water storage from rainwater catchment. The applicant also estimates that based on monthly average full sun hours, the solar well pumps can provide up to 1,520,220 gallons of water to storage. This brings the total water input to storage to an estimated maximum of 3,070,770 gallons annually.

A biological survey conducted by Natural Resources Management Corporation, dated August 30, 2019, determined that habitat for six sensitive species is present in the vicinity of the two project areas and documented a sighting of a juvenile sharp-shinned hawk (Accipiter striatus). The six sensitive species are as follows: golden eagle (Aquila chrysaetos), sharp-shinned hawk (Accipiter striatus), Cooper's hawk (Accipiter cooperii), fisher (Pekania pennanti), badger (Taxidea taxus), and Sonoma red tree vole (Arborimus pomo). No special status plant species were identified in the project impact areas during the botanical surveys. Prior to any construction activities for this project, the applicant is required to conduct the surveys outlined in the mitigation and management recommendations and adhere to all recommendations of the biological report in accordance with Humboldt County Code.

The project is located in the Bear River Band Rancheria and Sinkyone Aboriginal Ancestral Territories. The applicant submitted a Cultural Resources Investigation (CRI) prepared by Roscoe and Associates, dated February of 2020. The CRI concluded there were no historical or archaeological resources identified in the study areas and the proposed projects will not result in any adverse change to historical or archaeological resources.

The modified projects are consistent with the adopted EIR for the CCLUO because they comply with all standards of the CCLUO which were intended to mitigate for impacts of existing cultivation. These include compliance with noise and light standards to limit disturbance to wildlife, increased water storage to allow for complete forbearance from water diversion during the dry season, and proper storage of fertilizers and soil amendments.

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

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

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

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

more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Summary of Significant Project Effects and Mitigation Recommended

No changes are proposed for the Final EIR recommended mitigations. The proposal to authorize the projects are fully consistent with the impacts identified and adequately mitigated in the Final EIR. The projects as conditioned to implement responsible agency recommendations, result in no significantly adverse environmental effects beyond those identified in the Final EIR.

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

- *Operations Plan* prepared by Rinehart Engineering dated July 2021.
- *Site Plan* prepared by Rinehart Engineering dated July 2021.
- *Cultural Resources Investigation* (CRI) prepared by Roscoe and Associates, dated February of 2020.
- *Noise Assessment Report* prepared by Platinum King Farms, LLC, Formerly Freerange Holdings, LLC
- *Site Management Plan* prepared by Rinehart Engineering, dated July 25, 2021.
- *Well Hydrogeologic Analysis* prepared by Rinehart Engineering, dated July 20, 2021.
- *Well Completion Reports*
- *Timber Conversion Evaluation Report* prepared by Timberland Resource Consultants, dated December 9, 2018.

Other CEQA Considerations

Staff suggests no changes for the revised project.

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

See **Purpose** statement above.

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

FINDINGS

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

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

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

CONCLUSION

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

There are no new significant environmental effects and no substantial increases in the severity of previously identified effects. For the current proposed project, there has been no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was adopted as complete. and effect on the original project.

ATTACHMENT 3

Applicant's Evidence in Support of the Required Findings

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

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

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

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

4. A cultivation and operations plan that meets or exceeds minimum legal standards for water storage, conservation and use; drainage, runoff and erosion control; watershed and habitat protection; proper storage of fertilizers, pesticides, and other regulated products to be used on the parcel; and a description of cultivation activities (outdoor, indoor, mixed light), the approximate date(s) cannabis cultivation activities have been conducted on the parcel prior to the effective date of this ordinance, if applicable, and schedule of activities during each month of the growing and harvesting season. (Cultivation and Operations Plan prepared by the agent dated 7/8/2021- **Attached**)

5. Description of water source, storage, irrigation plan, and projected water usage. (Included in #4 above)

6. Copy of Notice of Intent and Monitoring Self-Certification and other documents filed with the North Coast Regional Water Quality Control Board demonstrating enrollment in Tier 1, 2 or 3, North Coast Regional Water Quality Control Board Order No. 2015-0023, or any substantially equivalent rule that may be subsequently adopted by the County of Humboldt or other responsible agency. (NOI and reporting, – **Attached**. Site Management Plan and Nitrogen Management Plan – **Attached**)

7. If any on-site or off-site component of the cultivation facility, including access roads, water supply, grading or terracing, impacts the bed or bank of any stream or other watercourse, a copy of the Streambed Alteration Permit obtained from the California Department of Fish and Wildlife. (Notification on file)

8. If the source of water is a well, a copy of the County well permit, if available. (Well completion reports and Hydrologic Analysis- **Attached**)

9. If the parcel is zoned FR, U or TPZ, or involves the conversion of timberland as defined under Section 4526 of the Public Resources Code, a copy of a less-than-3-acre conversion exemption or timberland conversion permit, approved by the California Department of

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

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

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

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

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

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

15. *Cultural Resources Investigation* (CRI) prepared by Roscoe and Associates, dated February of 2020 (On file, confidential)

16. *Road Evaluation* by the Rinehart Engineering dated January 27, 2021. (**Attached**)

17. *Site Suitability Report* prepared by Rinehart Engineering dated October 21, 2020. (On file)

18. *Biological Survey* conducted by Natural Resources Management Corporation, dated August 30, 2019. (On file)

19. *Noise Assessment* (On file)

Cultivation and Operations Plan

Platinum King Farms, LLC
37773 Mattole Road
Petrolia, CA 95558
APNs 104-071-004, 104-071-005

RECEIVED
JUL 22 2021
Humboldt County
Cannabis Svcs.

Revised: July 22, 2021

Primary Contact:
Bret Rinehart, PE
Rinehart Engineering
rinehartengineering@gmail.com
(707) 498-3414

Table of Contents

Introduction 3
Cultivation Project Description 3
Cultivation and Operations Plan 5
Processing Plan 6
Security Plan 7
Parking Plan 7
Irrigation Plan 7
Watershed Protection 12
Storm Water Management Plan 13
Water Source and Water Right Documentation 14
Project Compliance with SWRCB General Order 14
Materials Management Plan 14
Pesticides and Agricultural Products Used in Cultivation 16
Onsite Waste Treatment & Sewage Disposal Plan 17
Employee Safety 17
Compliance with Performance Standards 18
Road System Assessment and Improvement Plan 18
Road Maintenance Association (RMA) Information 19
Biological Resources and Sensitive Habitat Protection 19
Management of Waste and Hazardous Materials 20
Archaeological, Tribal Cultural, and Historical Resources Protection 21
Light Pollution Control Plan 22
Energy Plan 23
Noise Source Assessments and Mitigation Plan 23
Irrigation Metering and Record Keeping 26
Water Storage Plan 26
Soils Management Plan 26
Invasive Species Control Plan 27
Appendix A: Annual Reporting 29
Appendix B: Recommended Outdoor Lighting Fixtures 30

Table 1: Estimated Water Balance between rainwater catchment and well 8
Table 2: Estimated Water Supply and Use: APN 104-071-004 10
Table 3: Estimated Water Supply and Use: APN 104-071-005 11
Table 4: Pesticides & Agricultural Products Used in Cultivation 16
Table 5: Cultivation Equipment Noise Levels 24
Table 6: Noise Level Attenuation 25

Introduction

Section 314-55.4.11 of the Humboldt County Commercial Cannabis Land Use Ordinance (CCLUO) sets forth the required elements for a permit, which includes a Cultivation and Operations Plan. The purpose of this plan is to describe the cultivation and processing activities and address the following elements of a commercial cannabis cultivation operation: Irrigation including sources and water budget; Watershed Protection including storm water management; a summary of measures employed to ensure compliance with the State Water Resources Control Board (SWRCB) General Order; Materials Management including proper storage of fertilizers, pesticides, and other products; Onsite Waste Treatment, and Employee Safety.

Additionally, the Cultivation and Operations Plan addresses applicable Performance Standards for Commercial Cannabis Activities as specified in Section 314-55.4.12. Plans developed to address these standards include: Road System Management, Biological Resource Protection, Waste and Hazardous Materials Management, Protection of Archaeological Resources, Light Pollution Control, Energy Use, Noise Pollution Control, Irrigation Metering and Record Keeping, Water Storage, Soils Management, and Invasive Species Control. A table showing all annual reporting requirements is included in Appendix A.

Cultivation Project Description

The commercial cannabis cultivation operation (Project) is owned and operated by Platinum King Farms, LLC. The Project described herein will take place on a 333-acre site located in Petrolia, California on APNs 104-071-004 and 104-071-005. The Project consists of 24,500ft^2 of existing Outdoor and Mixed-Light cultivation (APN 104-071-004), as well as 30,000ft^2 of new Mixed-Light cultivation (APN 104-071-005). A commercial processing building and nursery will also be located on APN 104-071-005. The total cultivation area is 54,500ft^2 as permissible under Humboldt County Code 314.55.4.6.5 and 341-55.4.6.1.2 (b).

The 24,500ft^2 cultivation area located on APN 104-071-004 sits in a small clearing on a natural flat surrounded by mixed evergreen forest. The topography rises above the cultivation area on the east and southeast sides, and drops in elevation on the west/northwest side. The cultivation site is within the Timber Production Zone (TPZ) land use designation, and has been in use for cannabis cultivation on a year-round basis for over 15 years. Cultivation at this site is permissible as per 314-55.4.6.5 when in compliance with performance standards and accompanied by a conversion assessment.

Figure 1: Previous cultivation site in TPZ, now cleared of all cultivation related equipment.

A registered professional forester from Timberland Resource Consultants (TRC) was retained to evaluate the historic timber conversion at the Project site and prepare a Conversion Assessment report that meets the requirements laid out in Section 55.4.12.2.4. A field survey conducted on December 3rd, 2018 found approximately 1.99 acres of non-authorized historic timber conversion on APN 104-071-004 near the proposed cultivation area. Recommended remediation consists of replanting a 50' watercourse buffer zone near the Class III creek located at the southwest corner of the site, and properly treating the slash and woody debris that remain at the western edge of the site. This report is included with the application packet. No further TPZ conversions are planned.

Proposed cultivation activities on APN 104-071-005 will consist of 30,000ft^2 of new Mixed-Light cultivation in the Agriculture Exclusive (AE) zone. This cultivation site sits on a small saddle adjacent to Reynolds Road that historically served as an unmaintained equipment storage area. The site rises in elevation on the north and south ends, with a drop in elevation on the eastern and western sides. The western side consists of mixed forest, while the eastern side is a mix of coastal prairie and scrub that blends into mixed conifer hardwood forest and shrubs at the parcel's eastern boundary. Cannabis cultivation is principally permitted in this zone as per the terms of Section 55.4.6.1.1.

Figure 2: Proposed 30,000ft^2 new cultivation site

Cultivation activities on APN 104-071-004 will be conducted in five (5) 34' x 92.4' hoop structures allowing for a total canopy area of 15,700ft^2. This parcel will also contain full sun outdoor cultivation on a separate ridge top flat consisting of 8,800ft^2 of cultivation area. The 15,700ft^2 cultivation area is located in the TPZ land use designation and will require a Special Permit for existing cultivation as per 314-55.4.5.1.3. The 8,800ft^2 cultivation area is located in the AE land use designation and will be permitted as part of the Special permit for this parcel.

The cultivation on 104-071-005 will take place in a total of three (3) 100'x100' gutter-connected greenhouses. The new 30,000ft^2 cultivation site located in the AE land use designation will require a Special Permit under 314-55.4.6.1.2 based on a >10-acre parcel size and allowable cultivation up to one acre (43,560ft^2). APN 104-071-005 will also contain a 4,725ft^2 nursery consisting of one (1) 68' x 69.5' hoop structure which will be equipped with manually operated lights and light deprivation tarps. The nursery will house both mother plants and clones. Both cultivation sites are at least 270 feet from adjacent, separately owned property lines, and over 300 feet away from nearby surface waters. None of the cultivation sites are near any sensitive receptors.

Commercial processing will occur on-site in an existing 50' x 52' two-story metal shop structure located on APN 104-071-005. The total useable floor area in the shop is 4,300ft^2. The first floor of the shop (2,600ft^2) will house a processing area, office space, Americans with Disabilities Act (ADA) compliant bathrooms, and an employee kitchen. The second story (1,700ft^2) is a "U" shaped space that will be used for processing and cannabis storage.

All previous cultivation has been shut down and cleaned up including the removal of all cultivation materials. Pending permits, the site will be improved to include bio-swales, a storm water detention basin, and improved access roads. Existing grading will be utilized wherever possible, and a grading permit will be acquired for any new grading. Site construction is expected to be complete by October 31, 2021 and cultivation anticipated to begin in the spring of 2022.

Aside from two well permits, no previous permits or violations have been granted/served for cultivation infrastructure or activities on this site. The Applicant is in the process of obtaining regional regulatory agency approvals. A site plan showing all cultivation infrastructure and facilities is included with this application packet.

Cultivation and Operations Plan

Platinum King Farms, LLC is seeking an Outdoor and Mixed-Light use permit for the cultivation activities on APN 104-071-004, and a Mixed-Light use permit for cultivation activities at the APN 104-071-005 site. The property owners, and approximately 4-12 seasonal employees will conduct the cannabis cultivation operations. Initially, the new cultivation operation on APN 104-071-005 (30,000ft^2) will use Mixed-Light techniques to produce two to three (2-3) harvests per year. During this initial phase, the cultivation season is anticipated to begin in April and end in November. After two years, the cultivation operation on APN 104-071-005 will convert to a year-round operation that may include up to six (6) harvests per year. The existing 15,700ft^2 cultivation area located on APN 104-071-004 will use Mixed-Light techniques to produce no more than 2-3 harvests per year in perpetuity (April – November). The smaller 8,800ft^2 full-sun Outdoor cultivation area located on a ridgetop on the northern edge of APN 104-071-004 will conduct one (1) cultivation cycle per year (June – October).

The following timeline of operations represents the maximum build-out phase on APN 104-071-005 (e.g., six harvests / year). The process begins with clones (baby plants) produced onsite from "mother" plants maintained in the nursery. During the first few weeks of each growing cycle the young plants will be started in the nursery in 4-inch pots (February/April/June/August/October/December). The clones will be grown in native soil amended with organic nutrients including dried chicken manure, guano, and worm castings. When the plants are large enough, they will be transplanted into larger pots with amended soil and moved into the cultivation greenhouses (January/March/May/July/September/November). The plants will mature approximately every two months under the 6 cycle per year operation, and approximately every three months under the 2-3 cycles per year operation. The plants will then be harvested and removed from the greenhouses for drying (March/May/July/September/November/January).

Water for cultivation operations will be collected in a 300' by 100' rainwater catchment pond, and supplemented with water from two onsite wells. All plants will be hand watered approximately every 3-5 days depending on need/weather conditions. Vertical posts with wire or natural fiber cord (e.g., jute, hemp) running the length of the greenhouses will support the weight of the flowering plants. Organic and natural soil amendments (e.g., chicken manure, compost tea, guano, kelp, molasses etc.) as well as a paraffinic oil pesticide approved for organic crop production are the only added substances used in this operation. Mature plants will be hand harvested, processed (trimmed) and packaged on site. Spent soil will be recycled using chicken manure and other amendments. All organic cultivation waste will be composted onsite.

The 15,700ft^2 existing cultivation operation (located on APN 104-071-004) will be conducted outdoors in greenhouses using supplemental light in the early and late parts of the growing season. Lighting will consist of one 250W compact fluorescent (CFL) bulb per 20ft^2 of greenhouse space. Light deprivation systems consisting of large tarps that enclose the entire cultivation area within the greenhouse will be used to allow for multiple harvests per year by controlling the quantity of light available to the plants at any time. This previously existing cultivation operation will conduct two to three growing cycles per year lasting approximately eight months in duration. This site will use the existing footprint with minor adjustments to the cultivation area layout to ensure adequate setback is maintained from an intermittent, unnamed Class III creek located near the southwest corner of the proposed cultivation area. The 8,800ft2 cultivation area also located on APN 104-071-004 will be conducted outdoors with no supplemental lighting. The cultivation area will utilize a previously disturbed ridgetop flat located outside of the riparian setback.

The 30,000ft^2 new cultivation operation (located on APN 104-071-005) will also be initially conducted outdoors in traditional hoop structures using supplemental light and light deprivation tarp systems. Lighting will consist of approximately 510, 250W compact fluorescent (CFL) bulbs per 100' x 100' greenhouse. The new cultivation operation will initially conduct two to three (2-3) growing cycles per year lasting approximately eight months in duration. The Applicant intends to upgrade to hard-sided greenhouses three (3) years after initial operations begin. It is anticipated that the hard-sided greenhouses with supplemental lighting will allow for up to 6 harvests per year. The cultivation area will utilize a previously disturbed saddle located outside of the riparian setback, directly adjacent to Reynolds Road. This site will require minor re-grading to ensure a 0% slope.

During initial operations of 2-3 cycles per year, cultivation operations will consist of mostly natural light with some light supplementation (2-5 hours/day) in the early and late parts of the season. Winter season cultivation will require 18 hours of supplemental light per day. Lighting will consist of approximately one 250W compact fluorescent (CFL) bulbs per 20ft^2 of canopy area inside the greenhouse. Greenhouse tarps will be manually operated, and a "tarp use protocol" will be established that requires all tarps to be drawn before any lights are turned on. The Project owner will regularly monitor the light deprivation systems to ensure that lights are only on when the tarps are fully drawn, and that no light escapes the greenhouses between sunset and sunrise.

Pacific Gas and Electric Company (PG&E) will deliver power for lights, fans, compost tea mixing motors, and dehumidifiers. 100% renewable energy will be purchased through the Redwood Coast Energy Authority's RePower+ program. A solar electric system at each wellhead will be used to power the two well pumps. A backup generator equipped with an automatic transfer switch will retained onsite and will only be used in the event of power failure. The generator is enclosed in a shed designed to reduce noise levels when in operation.

Employees will be responsible for transportation to and from the site. One existing 1,620ft^2 modular home will be retained as an employee residence. Employee safety trainings will be held once per year and will include hazardous material spill and emergency response protocols.

Processing Plan

Mature plants will be harvested by hand, dried, and transferred to the on-site commercial processing building. An estimated 3-4 employees will be involved in the harvesting/processing operations. Harvesting will consist of "bucking" down the plants into individual branches, removing the large fan leaves and hanging the branches to dry in the drying barn. The drying barn is a fully enclosed structure that is equipped with dehumidifiers and fans. Once the plants are dry, they will be processed, cured, and packaged in preparation for transport to a licensed retail dispensary. Onsite commercial processing will consist of trimming the plants to remove leaves and separate flower buds/colas from stems, and packaging. Additionally, dried plants may be sent in bulk form to an off-site licensed processing facility for conversion into a value-added product such as extracted oils. The primary storage area for harvested cannabis will be the second floor of the commercial processing building. Additional processed cannabis storage space will be available in the Ag barn. Cannabis processing waste (leaves and stems) will be composted onsite.

The commercial processing building is on a concrete slab with an apron. This building has running water and is connected to the electric utility grid. The building houses an employee kitchen, processing work tables, harvest storage areas, and an office space. The building also includes two ADA accessible bathrooms and an ADA

compliant entrance. The commercial processing building wastewater will be managed via an existing septic system.

The commercial processing areas will be maintained in a clean and sanitary condition with all work surfaces and equipment to be left clean at the end of each workday. Equipment and surfaces will be sanitized/deep cleaned in between processing cycles. Protocols to prevent contamination, mold, and mildew growth on cannabis include cleaning all processing equipment (i.e., loppers, clippers, tables, finished product storage containers etc.) with alcohol or an equivalent sanitizer before use.

Access to portable toilets, water, and soap for hand washing will be provided at each of the Mixed-Light cultivation areas. Additional bathrooms and hand washing areas will be available in the commercial processing building. Filtered drinking water will be supplied from the onsite wells. Water will be available to all employees at all times in the processing building. Employees will be encouraged to bring reusable water bottles in order to have water available at all locations. Reusable cups / glasses will be provided in the commercial processing building.

Security Plan

The cultivation site is remotely located at the end of a private road (Reynolds Rd.) and can only be accessed through a locked gate. The building used for commercial cannabis processing and storage will be securely locked after business hours. This building is also located near the onsite residence, and three large dogs faithfully monitor the goings on in the general area on a full-time basis. Shielded, Dark Sky approved security lighting may be installed at the processing building entrance if deemed necessary.

Parking Plan

Employee parking areas include three gravel parking spots provided at the nursery and existing cultivation site, four parking spots at the new cultivation site, and one ADA compliant parking spot provided at the processing building. Parking at the 8,800ft^2 cultivation area will be located on the edges of the flat. Overflow parking is available in front of the onsite residence.

Irrigation Plan

All irrigation of cannabis is done by hand, ensuring that plants are not over-watered, and that water is used judiciously. Water use varies throughout the year, with peak periods of use occurring in the summer months. Irrigation is provided year-round by a 2.5million gallon rainwater catchment and storage pond, and supplemented by two onsite wells. Average rainfall for this area is around 110 inches per year[1], which would result in over 2 million gallons of water captured by the pond annually. Water from the catchment pond will be gravity fed via a 2" pipe to the cultivation sites. Trucked water will not be used as per 314-55.4.12.2.5.

The proposed development of the pond lies in an area that, although currently designated for timber production (TPZ), has historically consisted of grassland/prairie vegetation and has an underlying soil structure that has not previously supported timberlands. As noted in the 2018 Timberland Resource Consultants Conversion

[1] Rainfall averages for this area range from 75-120+ inches per year; this analysis assumes 110 inches per year. Source: Mattole Restoration Council http://www.mattole.org/wp-content/uploads/2014/08/Precip.pdf.

Evaluation Report "The proposed pond site is clearly non-timberland with no signs of conifer and/or hardwood encroachment in the form of small seedlings/saplings. The development of this pond will not result in timberland conversion." Further, according to the September 22, 2020 email from the County, staff determined that an irrigation pond in the non-forested area in the TPZ zone is allowable as an irrigation pond is not included in the definition of commercial cannabis activity, and is therefore not prohibited under section 55.4.6.5 of the CCLUO.

Supplemental water used in cultivation will be provided from two wells. Well #1 is 6" in diameter, 180ft deep with an estimated yield of 3gpm. Well #1 was completed 05/31/17 by Edward Mitchell Water Well Drilling (Permit # 16/17 0047). Well #2 is 4"in diameter, 120ft deep with an estimated yield of 10gpm. Well #2 was completed 07/31/17 by Edward Mitchell Water Well Drilling (Permit # 16/17 0648). Annual combined maximum water pumping potential from the wells is 1,520,000 gallons. The wells will fill the tanks as needed. Flow meters will be installed at each well and weekly pumping records will be kept on-site and included in the annual report to the County. Non-cannabis water use consists of residential uses that are supplied by a separate water system.

Well water pumping is expected to be low during most years due to the rainwater catchment pond supplying most, if not all, of the water. Table 1 below shows the estimated water supply from the rainwater catchment pond and wells should the annual rainfall be less than the 110 inch/year average. Tables 2 & 3 that follow show the maximum water that could be drawn from the wells using the solar pumps. A flow meter will be installed at the catchment pond and tank outlets to measure actual water use. Water use records will be kept on-site and included in the annual report to the County.

Table 1. Annual water supply from rainwater catchment and wells based on rainfall.

Inches of rainfall / year	Rainwater available / year including evaporation (gallons)	H_2O needed from wells (gallons)	% Water demand met by well water
60	616,000	397,000	39%
70	803,000	210,000	20%
80	990,000	23,000	2%
90	1,177,000	0	0%
100	1,364,000	0	0%
110	1,551,000	0	0%

Solar electric systems will provide the power to pump water from the wells to the onsite storage tanks. Water storage tanks consist of one (1) 15,000gallon tank, and five (5) 3,500gallon tanks providing a total water storage capacity of 32,500gallons. All tanks are located above the flood zone. Water will be pumped into the tanks at an approximate rate of 3gpm and 10gpm respectively. Gravity will be used to transport the stored water to the greenhouses.

Estimated annual water supply and use for the combined 25,500ft^2 cultivation operation on APN 104-071-004 is shown in Table 2. Estimated annual water supply and use for the 30,000ft^2 cultivation operation on APN 104-071-005 is shown in Table 3. Water use is estimated to be 0.16 gallons/plant/day based on a measured irrigation rate at a similar operation. This level of use translates to 0.07 gallons/ft^2/day, or 19 gallons/ft^2/year.

Figure 3: Water tanks.

Water use includes water for mother plants and clones in the nursery located on APN 104-071-005. Clones will be produced and watered approximately 6 months out of the year, while mother plants are watered year-round. Water use rates reflect lower water demand during the cooler months of the year and increased water use during the warmest months of the year.

Rainwater catchment input to storage shown in Tables 2 & 3 below is based on a 110" rain year and 22 inches/year evaporation (Ferndale, CA data). Note that well water input to storage shown in these tables reflects the maximum solar pumping potential based on measured well flow rates and historic average full sun hours/day for each month at the Project site. As mentioned above, actual well water use is expected to be far lower than maximum available.

Table 2: Estimated water supply and use for APN 104-071-004

APN 104-071-004 Estimated Annual Water Use												
Total Surface Water Diversion (gallons)												
Surface Diversion	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
	0	0	0	0	0	0	0	0	0	0	0	0
Water Input to Storage (gallons)												
Input Source:	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Rainwater Catchment	248,088	248,088	248,088	124,044	62,022	0	0	0	0	124,044	248,088	248,088
Well (max.)	96,720	87,360	120,900	140,400	145,080	163,800	169,260	169,260	140,400	120,900	93,600	72,540
Total	344,808	335,448	368,988	264,444	207,102	163,800	169,260	169,260	140,400	244,944	341,688	320,628
										Total gallons / year available		**3,070,768**
Water Use (gallons)												
Site:	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
APN -004; 15,700ft^2				20,901	26,873	29,859	32,845	37,324	34,338	29,859	26,873	
APN -004; 8,800ft^2						13,581	18,108	19,617	16,599	7,545		
										Total gallons / year demand		**314,324**
Note: Water storage is shared by two cultivation sites: APN #s 104-071-004 & 104-071-005. Rainwater catchment based on 110" rainfall/year.												

Table 3: Estimated water supply and use for APN 104-071-005

APN 104-071-005 Estimated Annual Water Use												
Total Surface Water Diversion (gallons)												
Surface Diversion	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
	0	0	0	0	0	0	0	0	0	0	0	0
Water Input to Storage (gallons)												
Input Source:	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Rainwater Catchment	248,088	248,088	248,088	124,044	62,022	0	0	0	0	124,044	248,088	248,088
Well (max.)	96,720	87,360	120,900	140,400	145,080	163,800	169,260	169,260	140,400	120,900	93,600	72,540
Total	344,808	335,448	368,988	264,444	207,102	163,800	169,260	169,260	140,400	244,944	341,688	320,628
										Total gallons / year available		**3,070,768**
Water Use (gallons)												
Site:	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
APN -005; 30,000ft^2	43,825	43,825	52,360	58,050	58,050	63,740	70,020	72,275	70,020	63,740	55,205	46,670
										Total gallons / year demand		**697,778**
Note: Water storage is shared by two cultivation sites: APN #s 104-071-004 & 104-071-005. Rainwater catchment based on 110" rainfall/year.												

Watershed Protection

The cultivation sites are located in the Mattole River watershed between Squaw Creek (Class I) and Granny Creek (Class II/III). Squaw Creek crosses briefly onto APN 104-071-004 at the northwestern edge, and Granny Creek runs across APN 104-071-005 at the southeast corner. Several other seasonal drainage courses are present on APNs 104-071-004/005 feeding into the two creeks. All cultivation occurs at least three hundred feet (300') from all aforementioned surface waters.

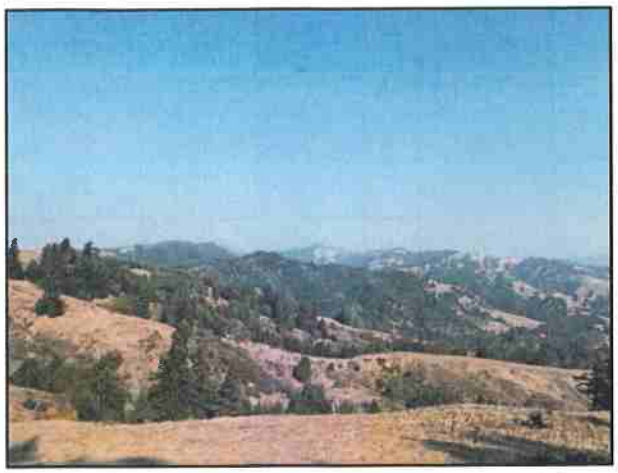


Figure 4: View of the watershed from the commercial processing building.

The main access road, Reynolds Road, crosses several intermittent drainages with culverts ranging in size from 18" to 60". Based on site visits and information provided by the California Department of Fish and Wildlife (CDFW), several stream crossing culverts were found to be undersized and will require replacement/realignment and in the case of two crossings, removal. A CDFW Lake or Streambed Alteration (LSA) Notification (LSAA 1600-2019-0326-R1) has been submitted for seven (7) stream crossing upgrades, two (2) well disclosures, and one (1) point of diversion. The culvert upgrade projects are located along Reynolds Road and a secondary access road that leads to the cannabis cultivation sites on APNs 104-071-004 and 104-071-005. Additionally, current planned upgrades to the main access roads include modification of the inboard ditches to include ditch relief culverts upstream of all natural drainages, armoring culvert outlets where needed, and adding fencing or otherwise preventing cows from disturbing the natural waterways. These upgrades will eliminate sources of sediment transfer related to road drainage features.

The cannabis cultivation activities will take place in areas that are relatively flat; less than 2-5% average slope with level greenhouse pads at 0% slope. The area surrounding the lower cultivation site on APN 104-071-004 is currently sloped to naturally direct storm water to flow into a planned 10' x 10' detention basin. The detention basin outlet will be rocked to dissipate the energy of the flowing water in order to protect the downslope overflow areas from erosion. The APN 104-071-005 cultivation site will be surrounded by a 3' x 3' mulched bio-swale to retain runoff and allow for infiltration. Nursery activities will occur in a separate onsite hoop house on a flat pad with 0% slope - also surrounded with a 3' x 3' mulched bio-swale on the downslope sides. No tilling will occur in the greenhouses. Natural drainage will be maintained around the full outdoor cultivation site on APN 104-071-004 as well as all non-cultivation and undeveloped areas.

The following best management practices will be employed to protect the watershed and minimize the potential for erosion and sedimentation of the waterways during both construction and operation:

- All access roads will be upgraded as described above.
- Any spoils due to road maintenance or upgrades will be removed, spread out and stabilized.
- All exposed soil will be covered with straw and seeded or allowed to naturally re-vegetate with native grasses or graveled to prevent sediment transport during rain events.
- All irrigation will be maintained inside the greenhouses and cannabis plants will be hand-watered so that nutrients do not leave the cultivation area.
- All soil mixing will occur within the cultivation areas
- Soil and compost piles will be covered and surrounded with straw wattles (or equivalent) during the rainy season.
- Runoff from the greenhouse structures will be contained by the mulched bio-swales or directed into an engineered storm water detention basin. These features will ensure all runoff from cultivation areas can be slowed down for infiltration avoiding the creation of new runoff, and/or the formation of gullies / other erosion features.
- All garbage and recycling will be contained in bins with locking lids so that plastics and/or other light-weight materials will not able to be blown into the nearby waterways.

Storm Water Management Plan

Currently, the existing and planned cultivation sites have been cleared of all cultivation related equipment. The cultivation sites will be upgraded to include a detention basin and/or bio-swales to capture runoff. The main access road, Reynolds Road, is a gravel, Category 4 road with crowned road sections and inboard ditches. As mentioned in the Road section, all access roads will be upgraded as part of the Project. These upgrades will improve water quality by eliminating sources of sediment transfer from antiquated road construction techniques.

Storm water runoff from greenhouses will be managed through the construction of 3' x 3' bio-swales (parcel 104-071-005) set 5' back from the edge of the slopes, and a 10' x 10'storm water detention basin system located on the southwest corner of parcel 104-071-004. Any sediment brought into suspension by the runoff from access roads and greenhouses will be contained within these features and allowed to settle as the water infiltrates through the soil. Storm water runoff will be further attenuated via the natural vegetation buffer that lies between the cultivation sites and the drainages. The bio-swales and the settling basin will be checked after each major storm event to ensure that all storm water runoff is contained, and no new storm water is created as a result of the Project. All other natural drainages will be maintained.

All site construction work will be conducted between April 16th and October 31st to avoid the rainy season. New work will not be initiated unless the National Weather Service seven-day forecast shows five (5) consecutive days of no precipitation. Straw waddles (or equivalent measures) will be in place around any work area prior to any precipitation that could cause run-off. Once work is complete, all bare soils associated with construction work will be seeded with native grasses to prevent soil erosion. The Project operators will conduct an annual perimeter inspection to look for any erosion features related to the cultivation operation. Seeding, covering, and/or armoring (where needed) will be used to remedy any erosion features found during the annual inspection.

Water Source and Water Right Documentation

The source of water for this operation is a 300' x 100' rainwater catchment basin supplemented by two onsite wells. These are both considered to be non-diversionary sources of water as the wells are 180' deep and sufficiently distant from the Mattole River to reasonably determine hydrologic disconnection. No other sources of water will be used in this operation.

The Applicant filed a General Order enrollment application via the State Water Resources Control Board (SWRCB) online portal on December 13, 2018. The cultivation project will be enrolled at a Tier II, low risk site, and will not require a Small Irrigation Use Permit. The Applicant has submitted a Site Management Plan and a Nitrogen Management Plan as part of the SWRCB General Order application.

Project Compliance with SWRCB General Order

In order to comply with the SWRCB General Order requirements, the Applicant will implement the following measures:

1. Re-grade cultivation sites to include mulched bio-swale perimeters (104-071-005), and a storm water detention basin (104-017-004).
2. Conduct an archaeological / tribal records search before any new land disturbance activities.
3. Hydrologically dis-connect road drainage features (in-board ditches) from watershed drainage crossings. Re-grade and/or install additional ditch relief cross-culverts to re-direct road drainage onto vegetated slopes that lie outside of the natural drainages.
4. Upgrade culverts on the Category 4 access road; replace, re-align, and armor as recommended by design engineer in consultation with CDFW.
5. Rock and re-grade Category 3 roads, replace culverts as needed, re-shape and clean out rolling dips, line inboard ditches with check dams, and armor all culvert outlet sediment basins.
6. Complete all construction before the winter season (November 1 – April 15).
7. Install metering devices on wells and tank / rainwater catchment outlets.
8. Cover all soil and compost piles and surround them with waddles before the winter season.
9. Re-vegetate all disturbed soil not used in cultivation.
10. De-water rainwater catchment pond annually to prevent invasive bullfrog habitation.
11. Conduct erosion control efficacy monitoring during and after large storm events.

Materials Management Plan

Various natural fertilizer and pesticide products will be used in cultivation. All soil amendments meet organic standards and include: dried chicken manure, molasses, worm castings, bat and seabird guano, bone meal, kelp and other naturally occurring ingredients. The only pesticide/fungicide employed consists of 97% paraffinic oil and is permitted for use in organic farming. These materials will be applied as per the manufacturer's instructions, and will be returned to storage (a dedicated area located in the Ag barn) immediately after use. All plastic bottles will be checked for leaks before and after each use. A Material Safety Data Sheet (MSDS) for the paraffinic oil is included as part of this packet.

A skid steer tractor will be used periodically to move and mix soil at the cultivation sites. The skid steer is

powered with diesel fuel supplied by an onsite in one of two 500gallon above ground steel fuel tanks equipped with a secondary steel containment basin on top of a concrete slab. Oil for the skid steer will be purchased as needed, and will be stored in a plastic tote in the commercial processing building. Oil changes and maintenance on all heavy equipment and vehicles will be conducted offsite.

A universal drum spill kit will be kept in the commercial processing building and in the fuel containment shed close to the 500gallon fuel tanks. Any spills will be immediately contained and cleaned up using absorbent materials and/or soil removal and disposal. All spills will be reported to the Humboldt County Department of Environmental Health and Human Services (800) 963-9241 and/or the State Office of Emergency Services (800) 852-7550. Employees will be trained on proper use of spill response equipment.

Although the Project does not utilize chemical-based fertilizer and pesticide products, all persons applying pesticides will be provided access to full protective suits with gloves, face protection and ventilation. Table 4 below contains a list of all agricultural products that will be used in cultivation.

Figure 5: Fuel tanks with containment

Table 4:
Pesticides and Agricultural Products Used in Cultivation

Pesticides and Agricultural Products Used / Stored Onsite		
Product Name	**Use; Main ingredient(s)**	**Application Frequency**
Planet Natural Hi-Brix (0-0-3)	Fertilizer; molasses	Applied throughout cycle in diluted quantities in compost tea (5-7 times / month)
Roots Organics Big Worm (2-0-0)	Fertilizer; worm castings	Used to amend soil at beginning of cycle and applied throughout cycle in diluted quantities (5-7 times / month)
Planet Natural Rainbow Mix Pro Grow (8-6-3)	Fertilizer; organic fertilizer made from guanos, kelp, feather and bone meal and other naturally occurring ingredients.	Applied throughout cycle in diluted quantities in compost tea (5-7 times / month)
Sparetime Supply Mocha Bat Guano (4-6-1)	Fertilizer; bat guano	Used to amend soil at beginning of cycle and applied throughout cycle in diluted quantities (5-7 times / month)
Age Old Organics Age Old Bloom (5-10-5)	Fertilizer; fish and feather meal, colloidal phosphates, seaweed extracts, borax, naturally occurring micronutrients	Applied once during last 2 weeks of each cycle in diluted quantities as part of compost tea
Dried Chicken Manure (1.3-1.3-1)	Soil Amendment; chicken manure scrapings	Used to amend soil at beginning of each cycle
Organic JMS Stylet Oil	Powdery mildew / fungus / pest / disease control; 97% Paraffinic oil	1-2 times per cycle

Onsite Waste Treatment & Sewage Disposal Plan

The primary onsite waste collection system will be portable toilets. Portable toilets will be located at both Mixed-Light cultivation sites and will be serviced weekly by Six Rivers Portable Toilets. The waste material will be disposed of at the nearest permitted wastewater treatment facility.

The wastewater generated in the commercial processing building will be handled by the existing unpermitted septic system. A follow-up Site Suitability Report has been prepared by a professional engineer to determine if the installed systems comply with Humboldt County Division of Environmental Health, North Coast Regional Water Quality Control Board, and 2019 California Building Code requirements for an onsite sewage disposal system. The assessment determined that the existing onsite wastewater disposal system does not meet the requirements for the proposed commercial processing building. However, with the recommended leach field upgrades, the site was found to be suitable for the proposed onsite wastewater treatment system and the proposed use of the commercial processing facility. The Site Suitability Report is included with the Humboldt County application packet.

The maximum number of employees (12) is not expected to overwhelm the septic system once the recommended upgrades are implemented. The septic tank will be periodically pumped by a licensed and insured septic system servicing company. All pumped septage will be disposed at the local permitted wastewater treatment plant. A will serve letter for portable toilet servicing is included as part of this application package.

Employee Safety

Employees handling cannabis in both cultivation and processing operations will have access to functioning facemasks and gloves for use at their discretion. Employees handling cannabis will be required to wash hands at the beginning of shifts, after eating, or using the restroom and may also use gloves.

Information specifying contact information for the owner, emergency responders, and poison control center will be posted in the commercial processing building. Employee safety will include an annual training for all employees that includes:

1. Emergency action response plan (location of emergency phone numbers, evacuation route)
2. Employee accident reporting protocol
3. Fire prevention (locations of extinguishers, identification of fire hazards)
4. Materials handling policies: identification of hazardous materials, location and use of spill kit
5. Personal protective equipment location

Compliance with Performance Standards

Road System Assessment and Improvement Plan [55.4.12.1.8]

The Project site is accessed via Reynolds Road, a 1.1mile road that connects to the County-owned Mattole Road. Reynolds Road is a 20ft wide, crowned gravel road that meets Cal Fire standards and Category 4 standards as outlined in the Appendix to Title III, Division II of the Humboldt County Code (Title III). Reynolds Road terminates on the property where it transitions into a 16ft wide Category 3 driveway that comes to a dead-end within ½ mile. Two other Category 3 access roads branch off of Reynolds Road and terminate within ½ mile; one provides access to the cultivation site on APN 104-071-004. A short driveway branches off of Reynolds Road and provides access to the planned cultivation site on parcel #104-071-005. The project site also contains three short segments of Category 1 access roads. One is an abandoned section of road covered in native grasses, another leads to the water tanks, and a third leads to a legacy cultivation site and other non-cultivation related features on the property.

Additional traffic on Reynolds Road and associated driveways is anticipated to be a maximum of 4-12 vehicles per day for both construction and operation periods. The additional traffic is not expected to exceed road design standards. The access roads to the cultivation sites and commercial processing building meet all performance standards required by 55.4.12.1.8 including Dead End Road Length and Functional Capacity (with recommended improvements).

A Road Assessment and Improvement Plan is included with the County permit application package and provides documentation of compliance with Category 4 standards for Reynolds Road, as well as a functional capacity assessment for the Category 3 and Category 1 roads. All road segments were evaluated to assess the current status of existing drainage features as well as the capacity to support increased volumes of traffic due to cultivation activities. Upgrades and best management practices described below will be employed to minimize the potential for sediment transfer into nearby watercourses.

Several culverts along the main Project access roads were found to be undersized and will require replacement/realignment and in the case of two crossings, removal. A CDFW Lake or Streambed Alteration (LSA) Notification (LSAA 1600-2019-0326-R1) has been submitted for seven (7) stream crossing upgrades. The culvert upgrade projects are located along Reynolds Road and a secondary access road that lead to the cannabis cultivation sites on APNs 104-071-004 and 104-071-005. Culvert replacement for five culverts will involve digging out the existing fill, removing the old culvert pipe, establishing the correct (natural) grade line, installing the new culvert, replacing and compacting the fill, and re-vegetating the disturbed soil at the inlet and outlet. Two culvert pipes will be removed and the natural pre-disturbance channel grade and width will be re-established. Engineered designs for each of the required culvert upgrades will be included with the Project's CDFW LSA Agreement.

Other planned upgrades to Reynolds Road include: re-grading and modification of the inboard ditches to include ditch-relief culverts upstream of all natural drainages in order to eliminate sediment transfer from road runoff, armoring culvert outlets and adding large rocks as energy dissipation mechanisms where needed, adding rock slope protection where needed, and adding fencing or otherwise preventing cows from disturbing the riparian areas adjacent to the roadways. Planned upgrades to the Category 3 and Category 1 roads include: re-

grading and importing rock to improve road drainage (e.g., adding crowns and/or out sloping), re-shaping and cleaning out rolling dips, installing check dams in the inboard ditches, installation of ditch relief culverts and armored sediment basins, and installation of down spouts and energy dissipators. Existing culverts on these roads appear to be sized and spaced appropriately and will be replaced, realigned, and/or armored as recommended by the Road Assessment and Improvement Plan.

Road Maintenance Association (RMA) Information

The Applicant will be the only permit holder on Reynolds Road, and therefore the formation of a Road Maintenance Association is not required (per section 314-55.4.12.1.8). The Applicant will be solely responsible for maintaining the roads on APNs 104-071-004 and 104-071-005. Further, the Applicant will make arrangements with the neighboring easement holders to ensure regular maintenance of Reynolds Road (starting at the turn-off from Mattole Rd. until it enters the aforementioned parcels) is provided.

Biological Resources and Sensitive Habitat Protection [55.4.12.1.10]

The Applicant contracted with Natural Resources Management (NRM) Corporation to conduct a full Biological Resources and Sensitive Habitat survey. On October 10th, 2018 NRM wildlife biologist Michelle McKenzie and botanist Claire Brown conducted a field survey to assess potential biological impacts of the Project, presence of and habitat for sensitive plant and animal species, and to survey the Project areas and catalogue all terrestrial and aquatic species present. In advance of field surveys, a preliminary query of the CDFW California Natural Diversity Data Base (CNDBB) was conducted to develop a target list of special status wildlife species with a record of presence within a nine-quad topographical map area surrounding the project site. The CNDBB search revealed records for fisher and foothill yellow-legged frog. The nearest Northern Spotted Owl Activity Center was found to be 2.5 miles away. No listed or special status wildlife species were detected during the field survey with the exception of a juvenile sharp-shinned hawk (Watch List). Habitat for the following sensitive species was found to occur vicinity of the project area: golden eagle, sharp-shinned hawk, Cooper's hawk, fisher, badger, and the Sonoma red tree vole.

NRM botanists consulted the current inventories of the California Native Plant Society's (CNPS) Inventory of Rare and Endangered Plants of California and a nine-quad query of the CNDDB to determine which special status plant species could occur within the project area. This resulted in a target list of 34 plant species. No special status plant species were detected during the 2018 field survey, however, because potential habitat was found to exist for certain plant species, seasonally appropriate botanical surveys were required.

Follow-up seasonally appropriate botanical surveys of the project area were conducted on April 4th, June 7th, and August 8th 2019. The follow-up surveys were designed to capture the bloom window of the target species with potential to occur at the site. No special status plant species were detected during the follow-up surveys. The site was also assessed for visual indications of wetland habitat. A few potential wetland areas were identified which lie outside the required setbacks. The report concluded that the Project would not impact any sensitive natural communities or wetland habitats.

The Biological Report is included with the Humboldt County application packet. Impacts to sensitive species from the proposed Project are expected to be insignificant if light restrictions and recommended mitigation measures are adhered to.

The Biological Report recommendations are:

1. If ground-disturbing activities occur between February 1 and August 31, seasonally appropriate, protocol level surveys will need to be conducted to determine presence for golden eagles. An area of 500 feet around the proposed project sites will need to be surveyed for active nests beginning February 1.

2. Preconstruction surveys for badger burrows or dens will need conducted in suitable grassland habitats slated for conversion within the project sites not more than 30 days prior to the start of construction.

3. Preconstruction surveys for foothill yellow-legged frogs will need to be conducted 48 hours prior to new development activities within 200 feet of any Stream Management Area or other wet areas. The survey area will include a 400-foot buffer around each of the project sites.

4. Preconstruction surveys will be required for ground-dwelling songbird species that may have potential to occur in and around the project sites. Surveys for nesting songbirds will be required within 7 days prior to construction start if construction occurs between March 1st and July 31st and need to encompass the area within 200 feet of the project area.

5. If generators will be in use it is required that measures be taken to reduce noise by installing mufflers or erecting sound deflecting acoustic shields or enclosures (secondary containment) with proper ventilation. Decibel meter readings will determine adherence to Humboldt County Ordinance No. 2599 (Humboldt County 2018).

The Applicant will implement all recommended mitigation measures in order to prevent impacts to sensitive plants and wildlife identified during the surveys. A record of mitigation measures implemented will be maintained onsite and included in the annual report.

Management of Waste and Hazardous Materials [55.4.12.1.13]

Cultivation wastes generated onsite include harvested plant waste, empty plastic bottles, broken plastic pots, and plastic sheets / bags. Other related wastes include construction debris, household trash, recycling, and wastewater. Harvested plant material will be composted onsite in accordance with CCR Title 14 Division 7 Chapter 3.1 Article 6 Composting Operating Standards. The onsite composting operation falls under the agricultural materials exemption (CCR 14 § 17855) as all compostable materials generated onsite will be returned to the site. Compost piles will be turned periodically to promote aerobic decomposition and minimize odors. Piles will be monitored to ensure that temperatures do not present any fire hazards. Compost produced from harvested plant waste will be re-used onsite in the cultivation process as a soil amendment. Compost piles will be covered and surrounded with straw waddles during the wet season. No plant matter will be burned as per 314-55.4.12.1.9.

All plastic bottles will be collected in the onsite recycling bins and hauled on a monthly basis to the Fortuna Transfer Station. Any unused plastic sheeting or used soil amendment bags will be collected and secured in a bin or bundle so as to eliminate the risk of plastics being blown off site and entering waterways. This material will be disposed at the Fortuna Transfer Station until such time that recycling of these materials becomes available. Pots used during cultivation are reused each year; when not in use the pots will be stacked and stored

inside the commercial processing building. All other construction debris will be sorted by material type and either made available for reuse or disposed at the Fortuna transfer station. All household garbage and recycling will be collected in separate bins with locking lids and self-hauled to the transfer station in Fortuna.

All soil used in the cultivation process will be amended and reused each year so as to avoid the production of spent plant growth medium. When not in use, soil will be covered with tarps/sandbags and surrounded with straw waddles or silt fencing during the wet season to ensure that nutrients in the soil will not migrate into surface waters. Once soil can no longer be recycled, it will be disposed at the Fortuna transfer station.

A hazardous materials assessment was conducted on November 12th, 2018. Hazardous materials onsite include diesel fuel for heavy equipment, and CFL bulbs for Mixed-Light cultivation. Diesel fuel will be stored in one of two 500gallon above ground steel storage tanks with secondary containment. A spill cleanup kit will be kept onsite in an unlocked, accessible location near the fueling area. All Employees that operate diesel-fueled equipment will be shown where the kit is located, and trained on the appropriate method to contain spills. Any spills will be immediately contained and reported to the Humboldt County Department of Health and Human Services. All contaminated soil will then be removed and disposed at the local hazardous waste facility in Eureka. All non-functioning fluorescent bulbs will be disposed at the hazardous waste collection facility.

Archaeological, Tribal Cultural, and Historical Resources Protection [55.4.12.1.14 - 15]

On December 3rd 2018, a certified archaeological surveyor with Timberland Resource Consultants (TRC) conducted an archeological field assessment of the proposed Project areas. No archaeological sites were observed during TRC's field survey, and the Project site is not known to contain archaeological or tribal cultural resources and is not located on any mapped cultural sites. TRC notified the relevant tribal organizations of the project location and requested information regarding any archaeological/tribal cultural resources within or near the project area. No structures over 45 years of age will be removed as part of the Project, and therefore there is no threat to historical resources.

In February 2020, Roscoe and Associates Cultural Resources Consultants prepared a Cultural Resource Investigation Report for the cultivation project areas. The report includes a review of regional archaeological and ethno-geographic literature, historical maps, a project area record search at the California Historical Resources Information System's Northwest Information Center (NWIC), correspondence with local Native American tribal representatives, and a field survey conducted on February 10, 2020. The review of ethnographic literature and historic maps revealed the Project area is in the traditional territory of the Mattole people – one of several Athabascan-speaking groups that were known to have lived in the area. The descendants of the Mattole are now members of the Bear River Band and Rohnerville Rancheria and other communities. The closest known Mattole village was found to be located on Squaw Creek near its confluence with the Mattole River, about one mile northwest of the Project area. The report concluded that while no known Mattole villages were located in the Project area, Damon Ridge, the ridgeline running through the property, was almost certainly used by Native Americans to access hunting and resource-gathering areas. The records search at the NWIC revealed that the Project property has not been subject to any previous cultural resource surveys, and no cultural resources are reported within 1/4 mile of the Project parcels.

Two members of the Bear River Band of the Rohnerville Rancheria accompanied Roscoe and Associates during the February 10, 2020 field survey at the Project site. The field survey included investigating all historic and

proposed cultivation areas, the proposed rainwater catchment pond site, and the access roads on the property. The field survey resulted in the identification of two isolated pieces of flaked chert debitage. According to the report, "These artifacts denote prehistoric use of the area, but are not significant enough to warrant further investigation or project construction monitoring." Aside from the chert flakes, no significant artifacts, features, archaeological deposits, or other historical resources were identified within or adjacent to the project area as a result of the investigation, and no concerns were expressed by the tribal representatives.

The report includes recommendations for inadvertent discovery of archaeological material and/or human remains. If any archaeological or cultural resource (i.e., chipped or ground stone, historic debris, building foundations or bone) is found during any earthmoving activities, the Applicant agrees to cease all work in the immediate area within a 66-foot buffer of the discovery. The Project operator will then contact the County Planning and Building Department to identify the appropriate professional to evaluate the discovery and offer recommendations for further action. If human remains are found during construction the Applicant agrees to cease all work in the immediate area within a 66-foot boundary and any nearby area reasonably suspected to overlie adjacent remains. The Project operator will then contact the Humboldt County Coroner to determine if the cause of death must be investigated, or if the remains are of Native American origin. Work will not resume until the most likely descendants of the deceased have made a recommendation to the landowner for means of treatment and disposition of the remains.

Light Pollution Control Plan
[55.4.12.4]

Early and late season lighting will be used each year to encourage vegetative growth and prevent premature flowering. The compact fluorescent bulbs inside the greenhouses will be shielded to direct light downward limiting the potential for light spillover outside of the cultivation area. Lights will be manually operated, and a tarp use protocol will be employed that requires all light deprivation tarps to be drawn before any lights are turned on. Light depravation tarps will be designed to enclose the entire cultivation area inside the greenhouses. No light will be allowed to escape the greenhouses between sunset and sunrise at any point in time.

In order to prevent light pollution and disruption to local wildlife, the Project owner will regularly monitor the light deprivation systems to ensure that the tarp use protocol is adhered to, and that no light is escaping the greenhouses. The tarp systems will be periodically inspected to verify that the closure system is functioning properly. In the event of failure, the tarps will be repaired immediately.

All security lighting needs will be assessed, and the Applicant will commit to use only lighting that meets the recommendations of the International Dark Sky Association (see Appendix B), is shielded, and designed to ensure that no light escapes the area that requires illumination. Motion sensors will be installed as needed to ensure that all outdoor lighting is used minimally. Further, security lighting will be assessed to ensure that lamps are appropriately sized for the intended illumination purpose, and that any outdoor lights have a warm, non-blue color temperature of <3000K in order to prevent adverse effects on wildlife behavior and reproduction. Construction will be conducted during daylight hours only and no temporary lighting will be used.

Energy Plan
[55.4.12.5]

The energy budget for an outdoors/mixed-light operation is dependent on the number of cultivation cycles per year, the quantity of supplemental lighting required, and the efficiency of the cultivation equipment. Energy use for the Platinum King Farms operation is estimated to be in the range of 312MWh - 442MWh/year. In general, energy for the cultivation process will be used to power compact fluorescent (CFL) bulbs and circulation fans in the nursery, greenhouses and commercial processing building, dehumidifiers in the drying barns, compost tea mixers, booster pumps for hand watering, and well pumps. Additionally, power may be used for space heaters in the commercial processing building. With the exception of the well pumps (powered via dedicated solar electric systems), all loads will be powered with 100% renewable energy purchased through the Redwood Coast Energy Authority's RePower+ electricity service. Power will be delivered via a 400A, 480V service drop from the Pacific Gas and Electric Company (PG&E) power grid.

The 36kW diesel backup generator with an automatic transfer switch will be used to ensure the cultivation operations can continue during periodic power outages. It is assumed that the generator will be operated up to 24 hours per day for approximately 3 days per year. As use of this generator will be limited and temporary, it is not anticipated to have a significant impact on Project emissions.

Periodically, a diesel-fueled skid steer / loader is used to mix and move soil within the cultivation areas. Other heavy equipment may be used for grading at the new cultivation site, and construction of bio-swales and storm water detention & rainwater catchment basins. Two above ground 500gallon tanks with secondary containment will be used to provide fuel for the heavy equipment. Renewable diesel fuel[2] will be sourced when available in at nearby gas suppliers.

Noise Source Assessment and Mitigation Plan
[55.4.12.6]

A Noise Assessment was conducted to evaluate the potential impact of increased ambient noise levels due to cultivation operations. Cultivation-related noise will be generated during both the construction and operations phases. Construction noise sources include the use of heavy equipment such as an excavator, dozer, and compactor as well as heavy truck traffic. Heavy equipment will also be used for periodic compost/soil pile management and site maintenance activities. The use of this equipment will result in temporary increases in ambient noise levels near the project site and are not expected to result in any permanent impacts.

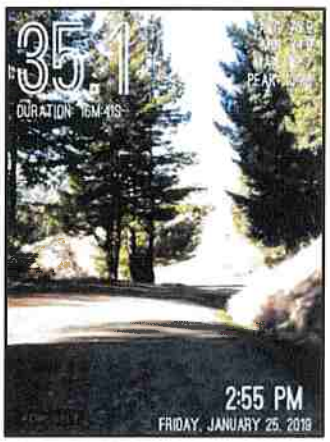


Figure 6: Noise measurement taken at Property Line #1

Ongoing noise from the Platinum King Farms cannabis cultivation operations will be generated from the use of circulation fans, dehumidifiers, compost-tea mixing motors, and the two well pumps. Noise will also be periodically generated from a 36kW generator located next to the commercial processing building on APN 104-071-005.

[2] Renewable Diesel is a second-generation biofuel that is chemically identical to petroleum diesel fuel but without any engine performance issues. Renewable diesel is available from Westgate Petroleum, although currently only available through direct sales (e.g., not yet widely available at fueling stations).

This generator will be used to power key process loads during emergency power outages only. The applicant has built a generator shed constructed of 3/4" plywood and dimensional lumber to contain this noise when in use. An operating noise level measurement of 54.9dB was taken 100' from the running generator before the enclosure was installed. Now that the generator is enclosed, noise levels at 100' are expected to be 42dB.

The Platinum King Farms cultivation sites are not near any noise-sensitive receptors and both project parcels are quite large creating a buffer between noise sources and adjacent properties. Once cultivation operations begin, follow-up noise level measurements will be taken to verify that CCLUO limits are not exceeded. Measurement records will be maintained and included in the annual report to the County.

Cultivation-related noise

Circulation fans are the largest continuous source of cultivation-related noise. Multiple 24" drum fans are used in the Mixed-Light greenhouses to maintain an optimal growing environment by regulating temperature and circulating fresh air through the cannabis plants. Fans are connected to a thermostat, which switches them on when temperatures rise above 80° Fahrenheit in the greenhouses. It is estimated that the fans will be used for 5 hours/day, 30 days/month, 6 months/year. Eight (16") oscillating wall fans are used in conjunction with dehumidifiers on each floor in the drying barns to circulate air across the drying plants, and maintain optimal humidity levels. Fans and dehumidifiers will be used 24 hours/day, 1 week/month, 6 months/year. A 48" exhaust fan located in the commercial processing building will be used to maintain a healthy work environment for employees. The exhaust fan is estimated to be used a maximum of 12 hours/day during each harvest with an anticipated 6 harvests per year at maximum production.

Cultivation-related noise will be generated in four locations – greenhouses, agricultural drying barns, the nursery, and the commercial processing building. The cumulative sound levels generated from all noise sources including the circulation fans are shown in the table that follows.

Table 5: Cultivation equipment noise levels

Noise / cultivation area by source	# Units / area	Noise Level (dB)	Cumulative dB
Fans: Nursery located on APN 104-071-005	12	69	80
Fans: Ag Barn located on APN 104-071-005	16	54	57
Fans: New Cultivation greenhouses; APN 104-071-005	70	69	88
Fans: Western Ag. Barn; APN 104-071-004	16	54	57
Fans: Western Cultivation greenhouses; APN 104-071-004	37	69	85
Fan: Exhaust fan in commercial processing building	1	88	88
Dehumidifiers in each drying barn	8	50	54
Back Up 36kW Generator	1	83	76

Baseline/ambient noise measurements were taken during the daytime on January 25th, 2019 within a 24-hour period at the entrance to the project parcels, and from various locations 100' away from future noise sources. Ambient noise levels ranged from 35-53dB with an average of 43dB. No cultivation operations were currently taking place at the time of measurement. Expected sound level attenuation over various distances away from cultivation-related noise sources is shown in the table below.

Table 6: Noise level attenuation

Noise Attenuation	dB @ 48'	dB @ 96'	dB @ 192'	dB @ 384'
Fans: Nursery located on APN 104-071-005	53	46	39	33
Fans: Ag Barn located on APN 104-071-005	30	23	17	10
Fans: New Cultivation greenhouses; APN 104-071-005	61	54	47	40
Fans: Western Ag. Barn; APN 104-071-004	27	20	12	5
Fans: Western Cultivation greenhouses; APN 104-071-004	55	47	40	32
Exhaust fan in commercial processing building	58	51	43	36
Dehumidifiers in each barn	27	20	14	7
Back Up 36kW Generator	49	42	35	28

The nearest property line, located at the western cultivation site is >300' from the nearest edge of the cultivation area. The northern cultivation area is located approximately 375' south of the nearest property line connecting to a parcel (APN 104-112-007) which is also owned by the applicant. Noise levels from all sources are expected to be less than 3dB above ambient conditions at all property lines, and therefore, all cultivation operations are compliant with the Humboldt County noise performance standards laid out in 314-55.4.12.6.

Potential Noise Impacts on Wildlife

In 2006, the Arcata Fish and Wildlife Service (AFWS) issued a "Transmittal of Guidance" memorandum that summarized the current state of research on the potential effects of elevated sound levels on wildlife. Based on a review of all available studies, the AFWS determined that potential impacts from exposure to elevated noise sources in a forested environment include disrupting wildlife during nesting, brooding, feeding, and fledging life cycle phases. The guidance concludes that activities producing sound levels of 70 dB or less at 50' would "not generally rise to the level of harassment". More recent studies indicate that reproductive success and physical fitness are negatively impacted by elevated ambient noise levels, and that sound intensity can play a key role in reducing the level of disturbance to wildlife.

Noise related to cultivation activities is not expected to result in a take or harassment of special status species or other wildlife. Factors that suggest this conclusion are as follows: 1.) The level of additional noise is below the AFWS threshold for harassment (70dB @ 50'), 2.) No Northern Spotted Owl or Murrelet habitat is present within 1 mile of the project area, 3.) Circulation fans will primarily be operated during the warmer months of the year (July – September) with limited use during the early spring months when temperatures are cooler and nesting and brooding is occurring, and 4.) Circulation fans in the greenhouses are not anticipated to run within two hours of dawn and two hours of dusk when wildlife is most active, and ambient noise levels are low.

Mitigation Plan

The following plan is designed to reduce impacts of cultivation-related noise on wildlife.

1. Limit noise due to construction and all use of heavy equipment for cultivation operations to the hours between 7:00am – 6:00pm Monday through Friday, and 9:am – 6:00 pm Saturday and Sunday (per 314-55.4.12.2.8). Maintain lower ambient noise levels within two (2) hours of sunrise and sunset. Maintain all construction equipment in good working order that meets or exceeds State standards in order to prevent excessive noise.
2. Implement the recommended mitigation measures and pre-construction surveys as per the Biological Resources and Sensitive Habitat Protection section above.
3. Investigate use of quieter drum fans at the northern cultivation area and when fan replacements are needed.
4. Investigate the possibility to add padding around all fan housings installed in the greenhouses to reduce vibratory noise where the fans meet the frame.
5. Add landscaping such as bushes and trees near the cultivation area on the saddle.
   When feasible, conduct site maintenance or other projects requiring heavy equipment use in the late summer/fall season (August/September) after nesting birds have fledged.

Irrigation Metering and Record Keeping
[55.4.12.7]

Flow meters will be installed at both wellheads and the tank outlet to the irrigation system as per 55.4.12.7.5 and 55.4.12.7.6. Records of water collection and use will be collected on a weekly basis and maintained at the cultivation site per 55.4.12.7.7. The water collection and use records will be included in the annual report to the County, submitted at least 30 days before the annual permit inspection. These records will be kept separately from any other records of non-cultivation water use.

Water Storage Plan
[55.4.12.8]

The rainwater catchment pond will consist of an off-channel 300' x 100' water capture and storage system designed to be the primary source of water for this site. All pond grading will conform to Humboldt County Title III, division 3, Section 331-12. Disturbed slope areas will be staked with waddles every 10' and re-seeded with native grasses. The pond liner will be installed per the manufacturer's instructions. The pond spoils will be spread out and compacted (3' maximum) and re-seeded with native grasses. The pond will be drained once per year at the end of the growing season to prevent habitation of non-native bullfrog species. The pond will also be designed to include wildlife escape ramps consisting of anchored hemp nets (or equivalent) on each side of the pond for local wildlife / humans to safely exit. The property owner will inspect and maintain the pond in accordance with the design engineer's recommendations.

Soils Management Plan
[55.4.12.10]

The Project imports approximately 100yd^3 of new soil per year that is used in conjunction with amended used soil to support the cultivation process. All soil remains onsite and is reused many times via amendment with dried chicken manure, bat guano, and worm castings. Soil piles will be covered with secured tarps and

surrounded by straw waddles when not in use. Spent soil that can no longer be recycled will eventually be spread onsite (preferred) or disposed at the Fortuna transfer station.

Invasive Species Control Plan
[55.4.12.16]

On January 25th, 2019, a certified botanist from Natural Resources Management Corporation (NRM) visited the two parcels associated with the proposed cultivation project (APNs 104-071-004/005) to identify and map any invasive species present. Areas surveyed include the cultivation sites, access roads, and cultivation related infrastructure locations. An Invasive Species Management Plan was prepared that includes recommended measures for eradication and monitoring of all invasive species identified. NRM focused this analysis on the species with a "high" level of invasiveness as according to the California Invasive Plant Council inventory. These species have severe ecological impacts and high rates of dispersal and establishment.

Three highly invasive plant species were identified in the Project area: Himalayan blackberry, woolly distaff thistle, and French Broom. All invasive species were found to be in small patches less than 25 square meters. Himalayan blackberry patches were found along the roadside leading to the planned rainwater catchment pond as well as along the fence lines of the developed areas near the nursery facility. Wooly distaff thistle was found along the main road leading to an abandoned cultivation site, along the main road adjacent to the new cultivation site, as well as in the area where the rainwater catchment pond will be constructed. French broom was not found on the cultivation parcels, however was found to be present on Reynolds Road leading to the project site.

The limited size of the patches of invasive species presents an opportunity for effective management. The recommended management plan is as follows:

1. **Himalayan Blackberry** – Canes shall be removed by hand or by mowing/brushing equipment before fruit set (winter / spring / early summer). The removed plant materials shall be burned or left to dry in the thoroughly in the sun. Operations staff should be trained to identify the native berry species that are present near the invasive Himalayan blackberry patches. These species include the California blackberry and the white bark raspberry. Where these species are inter-mixed, hand removal alone should be used to remove the invasive species. Maintenance includes checking the removal sites every month for re-sprouting Himalayan blackberry shoots and removal of any new growth. This process can take several years but is likely to be effective within one year if the plants are not allowed to re-sprout.

   An alternative removal strategy is using penned-in goats to remove the invasive blackberries, however this strategy can present additional soil disturbance that can create conditions conducive to the establishment of other invasive species. Additionally, this method would not be appropriate in areas where invasive and native berries are inter-mixed.

2. **Woolly Distaff Thistle** – Basal rosettes and shoots shall be located and hoed, pulled, or otherwise removed in late winter / early spring. Care should be taken to remove the seed-bearing plant crowns. Removal sites shall be re-inspected in early summer to detect any missed plants. Operations staff shall be trained to recognize this invasive plant so that any new patches can be

pulled before seeds set in the fall. If seeds are not allowed to set for two to three years this species can be effectively controlled at the site. Care should be taken to inspect and treat all sites where cows congregate as the seed can be re-introduced to the site via the hooves and coats of the cows.

3. **French Broom –** The populations along the access road could result in seeds traveling in vehicle tires to the proposed project site. Hand removal is recommended to address the spread of this invasive species. Operations staff shall be trained to recognize both the vegetative and blooming forms of this species to that it can be regularly removed to prevent the formation of new populations along the road or within the project sites.

The NRM report indicates that the invasive species populations are currently in a manageable stage. Adherence to the maintenance recommendations described above should minimize the further spread and transmission of these species due to cultivation activities. Eradication and maintenance measures, as well as the results of annual monitoring will be recorded and included in the annual report to the County.

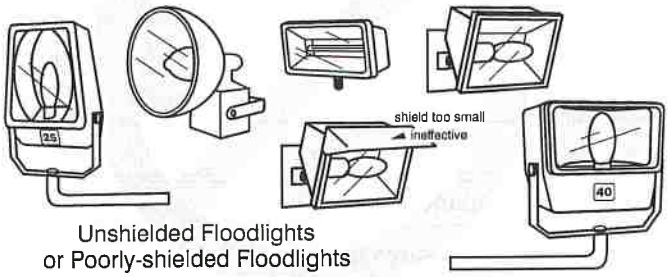
Appendix A: Annual Reporting

Humboldt County Annual Report Contents
Records Required:
Water pumping from wells (gal./week)
Water use from tanks and rainwater catchment pond (gal./week)
Noise measurements (dB levels, dates taken, location)
Employee Safety training (date, content covered, # employees in attendance)
Cultivation site perimeter erosion inspection (dates, notes, corrective measures taken)
Road erosion inspection (dates, notes, corrective measures taken)
Pond inspection (dates, notes, corrective measures taken, verify overflow is clear)
Annual pond drainage to prevent bullfrog habitation (date, photo)
Biological resources and sensitive habitat protection efficacy (mitigation measures implemented, dates of inspection, notes, corrective measures taken)
Invasive species control measures implemented and results of annual inspection

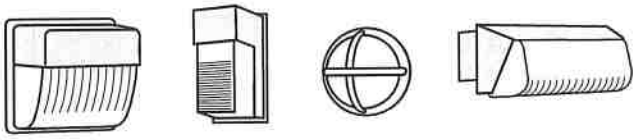
Note: Annual report is due 30 days before annual permit review.

APPENDIX B:
Examples of Acceptable / Unacceptable Lighting Fixtures

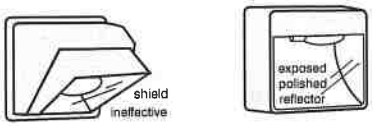
Unacceptable / Discouraged
Fixtures that produce glare and light trespass

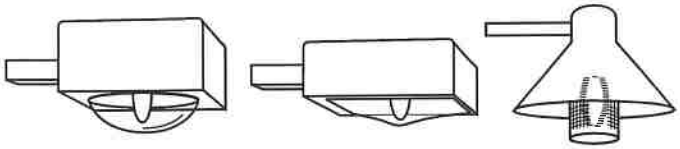


Unshielded Floodlights
or Poorly-shielded Floodlights

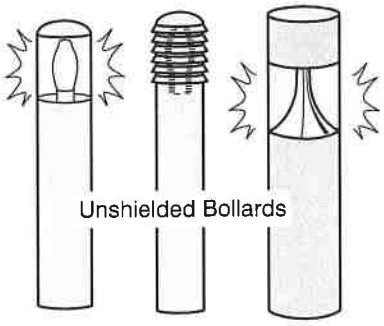


Unshielded Wallpacks
& Unshielded or
Poorly-shielded Wall
Mount Fixtures





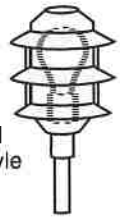
Drop-Lens & Sag-Lens Fixtures
w/ exposed bulb / refractor lens



Unshielded Bollards

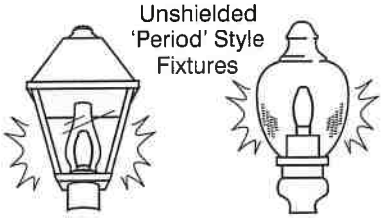
Unshielded Streetlight

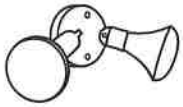
Unshielded Barn
Light



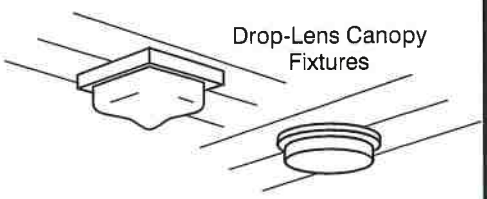
Louvered
'Marine' style
Fixtures

Unshielded
'Period' Style
Fixtures



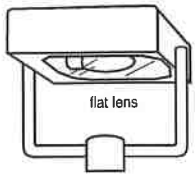


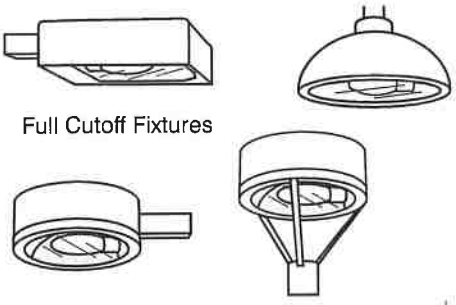
Unshielded PAR
Floodlights



Drop-Lens Canopy
Fixtures

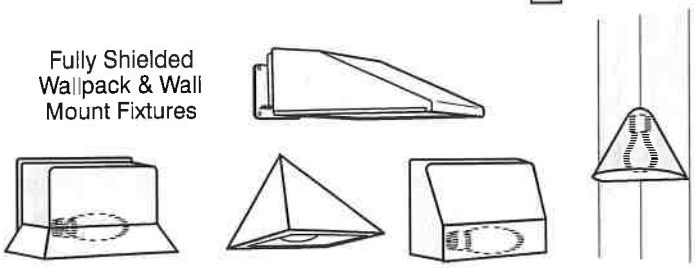
Acceptable
Fixtures that shield the light source to minimize glare and light trespass
and to facilitate better vision at night

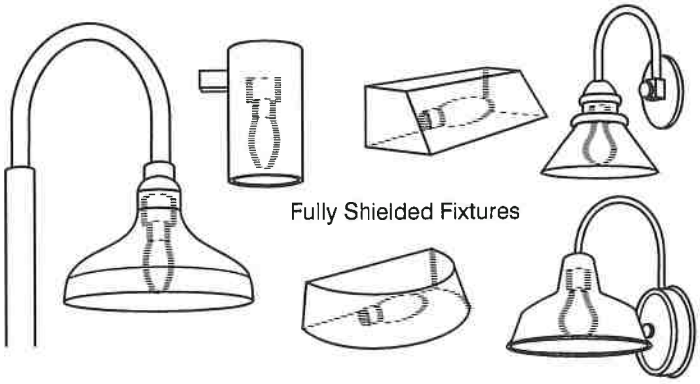




Full Cutoff Fixtures

Fully Shielded
Wallpack & Wall
Mount Fixtures

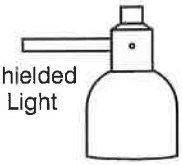




Fully Shielded Fixtures

Full Cutoff Streetlight

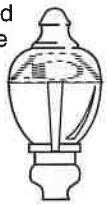
Fully Shielded
Barn Light

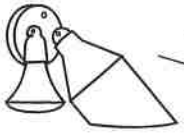


Fully Shielded
Walkway
Bollards

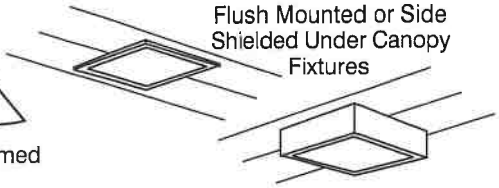
Fully Shielded
Decorative
Fixtures
bulb shielded
in opaque top

Fully Shielded
'Period' Style
Fixtures
bulb shielded
in opaque top





Shielded / Properly-aimed
PAR Floodlights



Flush Mounted or Side
Shielded Under Canopy
Fixtures

Illustrations by Bob Crelin© 2005. Rendered for the Town of Southampton, NY. Used with permission.

RE: Apps 15196 15200, APN 104-071-005 104-071-004

Rinehart Engineering <rinehartengineering@gmail.com>
Tue 7/27/2021 3:38 PM

To: Holtermann, Michael <mholtermann@co.humboldt.ca.us>
Cc: juliette@strategicsolutionsjbc.com <juliette@strategicsolutionsjbc.com>; usageovany@gmail.com <usageovany@gmail.com>

Hi Michael,

Yes there will be an estimated 2-4 trips per day increased traffic from off-site cannabis to the commercial processing facility. This will be confined to Reynolds Road which is a Category 4 road.

Let me know if you need anything else.

Thanks,

Bret Rinehart, PE
Rinehart Engineering
rinehartengineering@gmail.com
(707) 498-3414

From: Holtermann, Michael <mholtermann@co.humboldt.ca.us>
Sent: Monday, July 26, 2021 4:38 PM
To: Rinehart Engineering <rinehartengineering@gmail.com>
Subject: Re: Apps 15196 15200, APN 104-071-005 104-071-004

Hello Bret,

I wanted to clarify whether there would be increased traffic from off-site cannabis being transported to and from the commercial processing facility. Aside from that, I have completed my draft staff reports, however the Senior Planner is not in today. They will likely be reviewed this week. I will keep you updated on any further progress and start working on noticing the projects for hearing.

Best,

Michael Holtermann

Planner - Cannabis Services Division

Planning and Building Department

(707) 445-7541

3015 H Street | Eureka, CA 95501

Email: mholtermann@co.humboldt.ca.us

From: Rinehart Engineering <rinehartengineering@gmail.com>
Sent: Friday, July 23, 2021 3:49 PM
To: Holtermann, Michael <mholtermann@co.humboldt.ca.us>
Cc: juliette@strategicsolutionsjbc.com <juliette@strategicsolutionsjbc.com>
Subject: RE: Apps 15196 15200, APN 104-071-005 104-071-004

Hi Michael,

The number of employees will vary from 4-12 depending on the time of year. Adding commercial processing wont increase the number of employees beyond 12 but it will mean that all 12 employees will be onsite for a larger portion of the year.

Thanks,

Bret Rinehart, PE
Rinehart Engineering
rinehartengineering@gmail.com
(707) 498-3414

From: Holtermann, Michael <mholtermann@co.humboldt.ca.us>
Sent: Friday, July 23, 2021 3:00 PM
To: Rinehart Engineering <rinehartengineering@gmail.com>
Subject: Re: Apps 15196 15200, APN 104-071-005 104-071-004

Hello Bret,

Thank you for the prompt response. I do not believe you need to specify that the processing facility will be processing cannabis from off-site, "commercial processing" will be sufficient. However, the Cultivation Operations Plan will need to include some information about an increased number of employees, if any, as well as an estimate of increased traffic. Please submit an addendum to the Cultivation Operations Plan with the relevant information and I will add it to my staff report. After I have added the relevant information, my staff report should be ready for review by the Senior Planner.

Best,

Michael Holtermann

Planner - Cannabis Services Division

Planning and Building Department

(707) 445-7541

3015 H Street | Eureka, CA 95501

Email: mholtermann@co.humboldt.ca.us

From: Rinehart Engineering <rinehartengineering@gmail.com>
Sent: Friday, July 23, 2021 1:59 PM
To: Holtermann, Michael <mholtermann@co.humboldt.ca.us>
Cc: juliette@strategicsolutionsjbc.com <juliette@strategicsolutionsjbc.com>
Subject: FW: Apps 15196 15200, APN 104-071-005 104-071-004

Hi Michael,

I received your phone message. We do want to include commercial processing of off-site cannabis in the permit. We changed the Cult Ops plan to state "commercial processing". Do you need us to add additional language indicating we will be processing cannabis from off-site?

Thanks,

Bret Rinehart, PE
Rinehart Engineering
rinehartengineering@gmail.com
(707) 498-3414

From: Rinehart Engineering <rinehartengineering@gmail.com>
Sent: Thursday, July 22, 2021 9:08 PM
To: 'Holtermann, Michael' <mholtermann@co.humboldt.ca.us>
Cc: usageovany@gmail.com
Subject: RE: Apps 15196 15200, APN 104-071-005 104-071-004

Hi Michael,

Please find attached the updated Cultivation and Operations Plan for Platinum King Farms. Please let me know if you need anything else. Your efforts are much appreciated!

Thanks,

Bret Rinehart, PE
Rinehart Engineering
rinehartengineering@gmail.com
(707) 498-3414

From: Holtermann, Michael <mholtermann@co.humboldt.ca.us>
Sent: Thursday, July 22, 2021 4:47 PM
To: Rinehart Engineering <rinehartengineering@gmail.com>
Subject: Re: Apps 15196 15200, APN 104-071-005 104-071-004

Good afternoon Bret,

Thank you for the submitted documents. I have been working on the staff reports for Platinum King Farms, and I am confident we can have everything ready to take the project to hearing by August 19th. I will continue to revise the staff reports and submit them to the Senior Planner for review and edits. After receiving the Cultivation Operations Plan I will check that all the documents we have on file are internally consistent and update the water use sections of the staff reports and then I should have everything I need to complete my reports. I will let you know when I have completed the drafts and submitted them for edits. If you have any questions or comments feel free to reach out over the phone or via email.

*The free Adobe Reader may be used to view and complete this form. However, software must be purchased to complete, save, and reuse a saved form.

File Original with DWR

State of California

Well Completion Report

Refer to Instruction Pamphlet

No. xxxxxxx

Page _____ of _____

Owner's Well Number #1

Date Work Began 05/01/2017 Date Work Ended 5/31/2017

Local Permit Agency Humboldt County Environmental Health Dept.

Permit Number 16/17-0047 Permit Date 12/30/16

DWR Use Only – Do Not Fill In

State Well Number/Site Number

N Latitude W Longitude

APN/TRS/Other

Geologic Log

Orientation ⦿ Vertical ○ Horizontal ○ Angle Specify _____

Drilling Method Direct Rotary Drilling Fluid Bentonite mu

Depth from Surface Feet	to Feet	Description (Describe material, grain size, color, etc)
0	3	Topsoil
3	10	Brown Clay
10	15	Brown Silty Clay
15	23	Brown Clay
23	35	Brown Silty Clay
35	45	Brown Sandy Clay
45	58	Grey Silty Clay
58	75	Greyish Silty Sandy Clay
75	85	Grey Shale
85	95	Grey Shaley Silt
95	100	Grey Shale
100	125	Grey Silty Shale
125	145	Brittle Grey Shale
145	160	Grey Sandy Shale
160	180	Greyish Sand & Gravel
180	185	Grey Clay

RECEIVED

HUMBOLDT CO. DIVISION OF ENVIRONMENTAL HEALTH

Total Depth of Boring 185 Feet

Total Depth of Completed Well 180 Feet

Well Owner

Name [redacted]

Mailing [redacted]

City [redacted]

Well Location

Address [redacted]

City Petrolia County Humboldt

Latitude ___ Deg. ___ Min. ___ Sec. N Longitude ___ Deg. ___ Min. ___ Sec. W

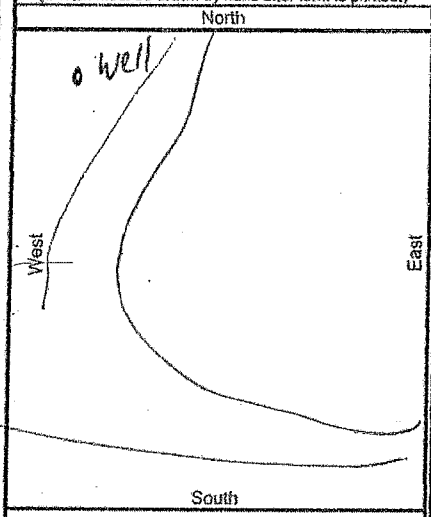
Datum _____ Dec. Lat. _____ Dec. Long. _____

APN Book 104 Page 071 Parcel 004

Township _____ Range _____ Section _____

Location Sketch

(Sketch must be drawn by hand after form is printed.)



Illustrate or describe distance of well from roads, buildings, fences, rivers, etc. and attach a map. Use additional paper if necessary. Please be accurate and complete.

Activity

⦿ New Well
○ Modification/Repair
○ Deepen
○ Other _____
○ Destroy
Describe procedures and materials under "GEOLOGIC LOG"

Planned Uses

⦿ Water Supply
☑ Domestic ☐ Public
☐ Irrigation ☐ Industrial
○ Cathodic Protection
○ Dewatering
○ Heat Exchange
○ Injection
○ Monitoring
○ Remediation
○ Sparging
○ Test Well
○ Vapor Extraction
○ Other _____

Water Level and Yield of Completed Well

Depth to first water 35 (Feet below surface)

Depth to Static Water Level 20 (Feet) Date Measured 05/31/2017

Estimated Yield * 3 (GPM) Test Type Air Lift

Test Length 8.0 (Hours) Total Drawdown _____ (Feet)

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

Casings

Depth from Surface Feet	to Feet	Borehole Diameter (Inches)	Type	Material	Wall Thickness (Inches)	Outside Diameter (Inches)	Screen Type	Slot Size If Any (Inches)
0	40	11"	Blank	PVC Sch. 40	SDR-21	6"		
40	180	11"	Screen	PVC Sch. 40	SDR-21	6"	Milled Slo	0.032

Annular Material

Depth from Surface Feet	to Feet	Fill	Description
0	30	Bentonite	Bentonite Chips
30	180	Filter Pack	Pea Gravel

Attachments

☐ Geologic Log
☐ Well Construction Diagram
☐ Geophysical Log(s)
☐ Soil/Water Chemical Analyses
☐ Other _____

Attach additional information, if it exists.

Certification Statement

I, the undersigned, certify that this report is complete and accurate to the best of my knowledge and belief

Name Edward Mitchell Water Well Drilling
Person, Firm or Corporation

7900 Myrtle Ave. Eureka CA 95503
Address City State Zip

Signed Edward M Mitchell 9/29/17 303670
C-57 Licensed Water Well Contractor Date Signed C-57 License Number

DWR 188 REV. 1/2006

IF ADDITIONAL SPACE IS NEEDED, USE NEXT CONSECUTIVELY NUMBERED FORM

Humboldt County Department of Health & Human Services

Division of Environmental Health
100 H Street - Suite 100 - Eureka, CA 95501
Phone: 707-445-6215 - Toll Free: 800-963-9241
Fax: 707-441-5699
envhealth@co.humboldt.ca.us

RECEIVED
DEC 30 2016

16/17-0647

WATER WELL APPLICATION
CONSTRUCTION – REPAIR – DESTRUCTION

The Well Permit will be returned to the property owner when approved by Humboldt County Division of Environmental Health (DEH)

Instructions:

1. Complete both sides and submit the Water Well Application with required fee. Include Well Driller's signature and property owner's signature.
2. Work on a well shall not be started prior to approval of the Water Well Application by DEH.
3. Any changes made to the location of a new well shall be approved by DEH prior to commencement of drilling.
4. Well Driller shall notify DEH a minimum of 24 hours prior to sealing the annular space.

Site Address: 37773 Mattole Rd. APN: 104-071-004
City/State/Zip: Petrolia CA 95558
Directions to Site:

Applicant: Edward Mitchell Water Well Drilling Contact: Ed Mitchell
Mailing Address: 7900 Myrtle Ave. Work Phone: (707) 502-0636
City/State/Zip: Eureka, CA 95503 Cell Phone: (707) 502-0221

Property Owner: Freerange Holdings, LLC Home Phone: (707) 601-9225
Mailing Address: 3144 Broadway Suite 4-313 Work Phone:
City/State/Zip: Eureka, CA 95501 Cell Phone:

I hereby grant 'right-of-entry' for inspection purposes: [signature]

Drilling Contractor: Edward Mitchell C-57 License #: 303670

I hereby agree to comply with all laws and regulations of the County of Humboldt and the State of California Department of Water Resources Bulletin 74 pertaining to water well construction. I will contact Humboldt County Division of Environmental Health (DEH) when I commence work. Within 30 days after completion of work, I will furnish DEH a report of the work performed.

Well Driller Signature: [signature]

Would driller like a copy of approved application? ☒ Yes ☐ No

☒ U.S. Mail address: 7900 Myrtle Ave. Eureka, CA 95503

☒ Email address: Edy2112@gmail.com

Type of Application:	Construction:		Intended Use:
☒ Construction	Estimated Depth (ft.)	150'	☒ Domestic - private
☐ Destruction	Diameter (in.)	5"	☐ Community Supply
☐ Repair/Modification	Depth of Seal (ft.)	20'	☐ Irrigation
	Sealing Material	Bentonite Chips	☐ Other

Well #1

PE Code 2722

Estimated Work Dates:

Start _____

Completion _____

Casing:

Diameter (in.) 5"

Material PVC

Type of Sewage System:

☐ Community Sewer

☐ OWTS (Septic)

Distance from well site to OWTS _____

Special Requirements/Comments:

PLOT PLAN

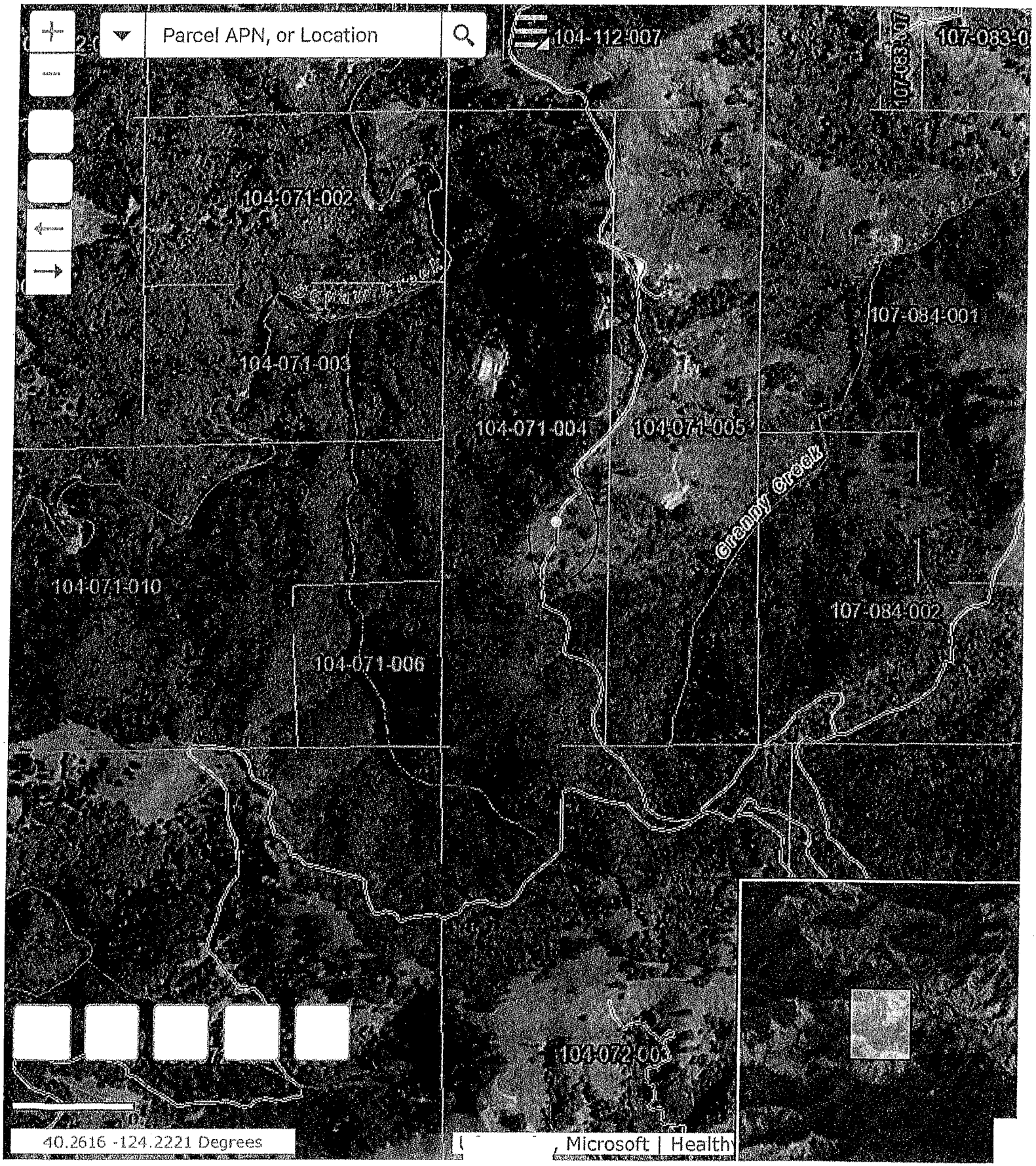
Well #1

Coastal Zone: ☐ Yes ☒ No

FOR OFFICE USE ONLY

Fee:	373	Site Approved by:	[illegible]
Date:	12-30-16	Site Approved Date:	1/10/17
Receipt:	760394	Sealed to Depth of:	30 ft
Project #:	16/17-0647	Seal observed:	☐ Yes ☑ No
Paid by:	Mitchell Well Drilling	Final Approved Date:	2/15/18 [illegible]

Humboldt County Web GIS Planning & Building Department



*The free Adobe Reader may be used to view and complete this form. However, software must be purchased to complete, save, and reuse a saved form.

File Original with DWR

State of California

Well Completion Report

Refer to Instruction Pamphlet

No. xxxxxxx

Page _____ of _____

Owner's Well Number 2

Date Work Began 07/01/2017 Date Work Ended 7/31/2017

Local Permit Agency Humboldt County Environmental Health Dept.

Permit Number 16/17-0648 Permit Date 12/30/16

DWR Use Only – Do Not Fill In

State Well Number/Site Number

N W

Latitude Longitude

APN/TRS/Other

Geologic Log

Orientation ⦿ Vertical ○ Horizontal ○ Angle Specify _____

Drilling Method Direct Rotary Drilling Fluid Bentonite mud

Depth from Surface Feet	to Feet	Description — Describe material, grain size, color, etc
0	3	Topsoil
3	10	Brown Clay
10	25	Brown Silty Clay
25	40	Brown Sandy Clay
40	50	Rock & Shale
50	65	Grey Shale
65	78	Hard Grey Shale
78	85	Grey Silty Sand
85	100	Rock & Gravel
100	120	Greyish Sandy Sandstone

RECEIVED

FEB 01 2018

HUMBOLDT CO. DIVISION OF ENVIRONMENTAL HEALTH

Total Depth of Boring 120 Feet

Total Depth of Completed Well 120 Feet

Well Owner

Name [redacted]

Mailing [redacted]

City [redacted]

Well Location

Address [redacted]

City Petrolia County Humboldt

Latitude ___ Deg. ___ Min. ___ Sec. N Longitude ___ Deg. ___ Min. ___ Sec. W

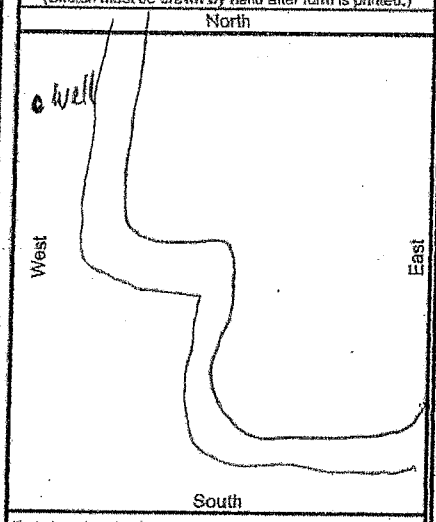
Datum _____ Dec. Lat. _____ Dec. Long. _____

APN Book 104 Page 071 Parcel 004

Township _____ Range _____ Section _____

Location Sketch

(Sketch must be drawn by hand after form is printed.)



Illustrate or describe distance of well from roads, buildings, fences, rivers, etc. and attach a map. Use additional paper if necessary. Please be accurate and complete.

Activity

⦿ New Well
○ Modification/Repair
○ Deepen
○ Other _____
○ Destroy
Describe procedures and materials under "GEOLOGIC LOG"

Planned Uses

⦿ Water Supply
☑ Domestic ☐ Public
☐ Irrigation ☐ Industrial
○ Cathodic Protection
○ Dewatering
○ Heat Exchange
○ Injection
○ Monitoring
○ Remediation
○ Sparging
○ Test Well
○ Vapor Extraction
○ Other _____

Water Level and Yield of Completed Well

Depth to first water 30 (Feet below surface)

Depth to Static Water Level 20 (Feet) Date Measured 07/30/2017

Estimated Yield * 10 (GPM) Test Type Air Lift

Test Length 6.0 (Hours) Total Drawdown _____ (Feet)

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

Casings

Depth from Surface Feet	to Feet	Borehole Diameter (Inches)	Type	Material	Wall Thickness (Inches)	Outside Diameter (Inches)	Screen Type	Slot Size if Any (Inches)
0	30	9"	Blank	PVC Sch. 40	SDR-21	4"		
30	120	9"	Screen	PVC Sch. 40	SDR-21	4"	Milled Slot	0.050

Annular Material

Depth from Surface Feet	to Feet	Fill	Description
0	25	Bentonite	Bentonite Chips
25	120	Filter Pack	Pea Gravel

Attachments

☐ Geologic Log
☐ Well Construction Diagram
☐ Geophysical Log(s)
☐ Soil/Water Chemical Analyses
☐ Other _____

Attach additional information, if it exists.

Certification Statement

I, the undersigned, certify that this report is complete and accurate to the best of my knowledge and belief

Name Edward Mitchell Water Well Drilling
Person, Firm or Corporation

7900 Myrtle Ave. Eureka CA 95503
Address City State Zip

Signed [signature] 9/30/17 303670
C-57 Licensed Water Well Contractor Date Signed C-57 License Number

DWR 188 REV. 1/2006

IF ADDITIONAL SPACE IS NEEDED, USE NEXT CONSECUTIVELY NUMBERED FORM

Humboldt County Department of Health & Human Services

Division of Environmental Health
100 H Street - Suite 100 - Eureka, CA 95501
Phone: 707-445-6215 - Toll Free: 800-963-9241
Fax: 707-441-5699
envhealth@co.humboldt.ca.us

RECEIVED
DEC 30 2016
HUMBOLDT COUNTY DIVISION OF ENVIRONMENTAL HEALTH

16/17-0648

WATER WELL APPLICATION
CONSTRUCTION – REPAIR – DESTRUCTION

The Well Permit will be returned to the property owner when approved by Humboldt County Division of Environmental Health (DEH)

Instructions:

1. Complete both sides and submit the Water Well Application with required fee. Include Well Driller's signature and property owner's signature.
2. Work on a well shall not be started prior to approval of the Water Well Application by DEH.
3. Any changes made to the location of a new well shall be approved by DEH prior to commencement of drilling.
4. Well Driller shall notify DEH a minimum of 24 hours prior to sealing the annular space.

Site Address: 37773 Mattole Rd. APN: 104-071-004
City/State/Zip: Petrolia CA 95558
Directions to Site:

Applicant: Edward Mitchell Water Well Drilling Contact: Ed Mitchell
Mailing Address: 7900 Myrtle Ave. Work Phone: (707) 502-8636
City/State/Zip: Eureka, CA 95503 Cell Phone: (707) 502-8221

Property Owner: Freerange Holdings LLC. Home Phone: (707) 601-9225
Mailing Address: 3144 Broadway Suite 4-313 Work Phone:
City/State/Zip: Eureka, CA 95501 Cell Phone:

I hereby grant 'right-of-entry' for inspection purposes

Drilling Contractor: Edward Mitchell C-57 License #: 303670

I hereby agree to comply with all laws and regulations of the County of Humboldt and the State of California Department of Water Resources Bulletin 74 pertaining to water well construction. I will contact Humboldt County Division of Environmental Health (DEH) when I commence work. Within 30 days after completion of work, I will furnish DEH a report of the work performed.

Well Driller Signature: Edward M Mitchell

Would driller like a copy of approved application? ☒ Yes ☐ No

☒ U.S. Mail address: 7900 Myrtle Ave. Eureka, CA 95503

☒ Email address: Eddy212@Gmail.com

Type of Application:	Construction:	Intended Use:
☒ Construction	Estimated Depth (ft.) 150'	☒ Domestic - private
☐ Destruction	Diameter (in.) 5"	☐ Community Supply
☐ Repair/Modification	Depth of Seal (ft.) 20'	☐ Irrigation
	Sealing Material Bentonite Chips	☐ Other

Well #2

PE Code 2722

Revised 7-26-16

Estimated Work Dates:

Start _____

Completion _____

Casing:

Diameter (in.) 5"

Material PVC

Type of Sewage System:

☐ Community Sewer

☐ OWTS (Septic)

Distance from well site to OWTS _____

Special Requirements/Comments:

PLOT PLAN

Well #2

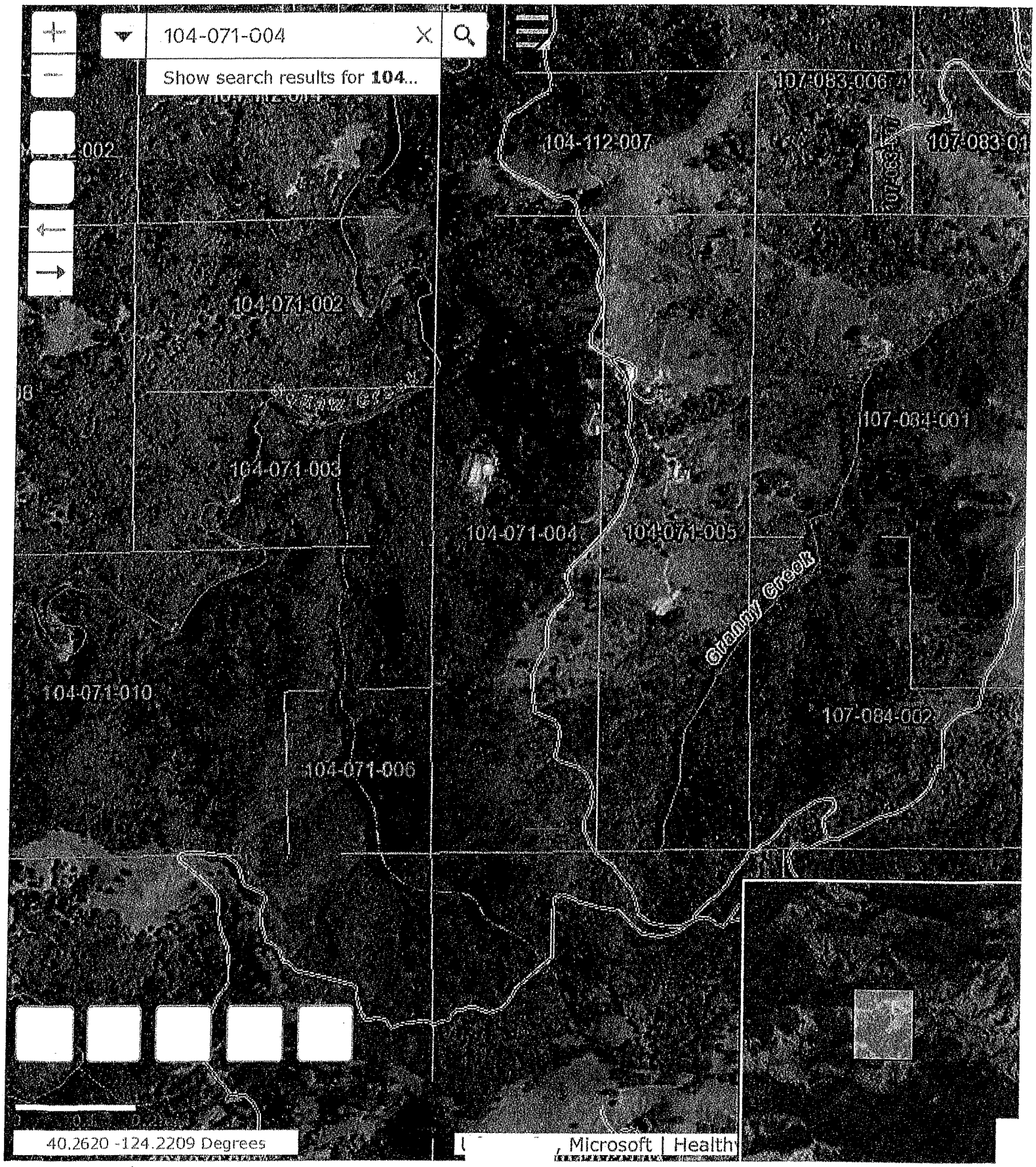
Coastal Zone: ☐ Yes ☑ No

FOR OFFICE USE ONLY

Fee:	373 -	Site Approved by:	[illegible]
Date:	12-30-16	Site Approved Date:	1/11/7
Receipt:	760395	Sealed to Depth of:	25 ft
Project #:	16/17-0648	Seal observed:	☐ Yes ☑ No
Paid by:	Mitchell Well Drilling	Final Approved Date:	2/15/18 [illegible]

Humboldt County Web GIS

Planning & Building Department



RINEHART ENGINEERING
559 Howard Heights Road Eureka, CA 95503
(707) 498-3414
rinehartengineering@gmail.com

RECEIVED
JUL 2 0 2021
Humboldt County
Cannabis Svcs.

To: Platinum King Farms, LLC

From: Bret Rinehart, PE

Date: July 20, 2021

Subject Well Hydrogeologic Analysis

Location: 37773 Mattole Road, Petrolia CA 95558 APN 104-071-004

I have reviewed the attached Well Completion Reports for the existing 6" diameter 180 ft deep well (Well #1) and existing 4" diameter 120 ft deep well (Well #2) at 37773 Mattole Road, Petrolia CA 95558 (APN 107-071-004) to assess the likelihood of a direct hydrologic connection between the well as completed and surface waters.

I evaluated the well log for the following specific evidence of a potential surface water connection:

1. The presence of a stratum of alluvium within the screened interval(s). The presence of rounded rocks or gravels is a strong indicator that the well intersected an area that was formerly a stream channel. While not conclusive proof that an individual well is hydrologically connected to surface water, alluvium is a strong indicator that such a connection could exist. Lenses or stringers of course sand, gravel, and cobbles provide a preferential pathway for groundwater to discharge to surface water or for surface water to be depleted by pumping from a well. However, even if alluvium is encountered in the borehole, well completion techniques typically preclude the shallow groundwater from the borehole. This is most often accomplished by installation of blank casing and a sanitary seal (impermeable grout) or a conductor casing completed to the depth of the aquitard.

2. Positive pore pressures were not observed in a borehole when it was drilled. If the depth to the first encountered water is greater than the depth to the static water level after the well has been completed, developed, and pumped, this is a determinative indicator that the well has been completed in a confined aquifer. The presence of observable positive pore pressure in an aquifer precludes a direct connection to surface water. If a direct connection did exist, pore pressures would be in equilibrium with the ambient atmospheric pressure.

3. A confining layer is not present. In the geologic logs, the screened interval for the well lies below a substantial aquitard. In order for a confined aquifer to exist, there must be an aquitard that allows some level of positive pore pressure to exist in an aquifer.

4. Screened well interval(s) do not intersect shallow water tables or geologic units with very high hydraulic conductivity or porosity. The geology of north western California does not have extensive bedrock units that have high hydraulic conductivity and effective porosity (such as karst). The colluvial soils derived from bedrock in this area tend to be relatively fine-grained, do not yield significant groundwater, and tend to form competent aquitards.

5. It is essential to fully understand the geologic context at each of these well sites before asserting whether a hydrologic connection is likely to exist. For instance, wells in deep Franciscan bedrock units are unlikely to have a hydrologic connection to surface water unless extreme topographic relief and a deeply incised stream channel results in a nearby surface exposure of that same bedrock unit.

Conclusion

I have concluded that the existing wells at 37773 Mattole Road are not hydrologically connected because of the geology, the distance to nearby surface waters and the construction technique.

At Well #1, approximately 75 feet of overburden ("top soil" and "brown clay, silty clay, sandy clay and silty sandy clay") overlies about 85 feet of "grey shale" followed by 20 feet of "greyish sand and gravel". Based on the depth to first water, the primary water bearing unit is the "grey shale" layer from 75 to 160 feet deep. The depth to the first observed water was 35 feet bgs and the static water level after the well was completed and developed was 20 feet bgs, meaning that this well is screened in a confined aquifer. The upper 40 feet is blank well casing and cannot yield shallow groundwater. The screened interval extends from 40 to 180 feet bgs and groundwater from intervals shallower than 40 feet cannot be produced from this well.

At Well #2, approximately 40 feet of overburden ("topsoil" and "brown clay, brown silty clay, brown sandy clay") overlies about 60 ft of "rock & shale, grey shale, grey silty sand, rock & gravel". Below that lies "greyish sandy sandstone". Based on the depth to first water, the primary water bearing unit is the "rock & shale" layer from 40 to 100 ft deep. The depth to the first observed water was 30 feet bgs and the static water level after the well was completed and developed was 20 feet bgs, meaning that this well is screened in a confined aquifer. The upper 30 feet is blank well casing and cannot yield shallow groundwater. The screened interval extends from 30 to 120 feet bgs and groundwater from intervals shallower than 30 feet cannot be produced from this well.

Please feel free to contact me if you have any questions at (707) 498-3414.

REGISTERED PROFESSIONAL ENGINEER
BRET R. RINEHART
No. 70375
EXP. 9/30/22
CIVIL
STATE OF CALIFORNIA

7/20/21

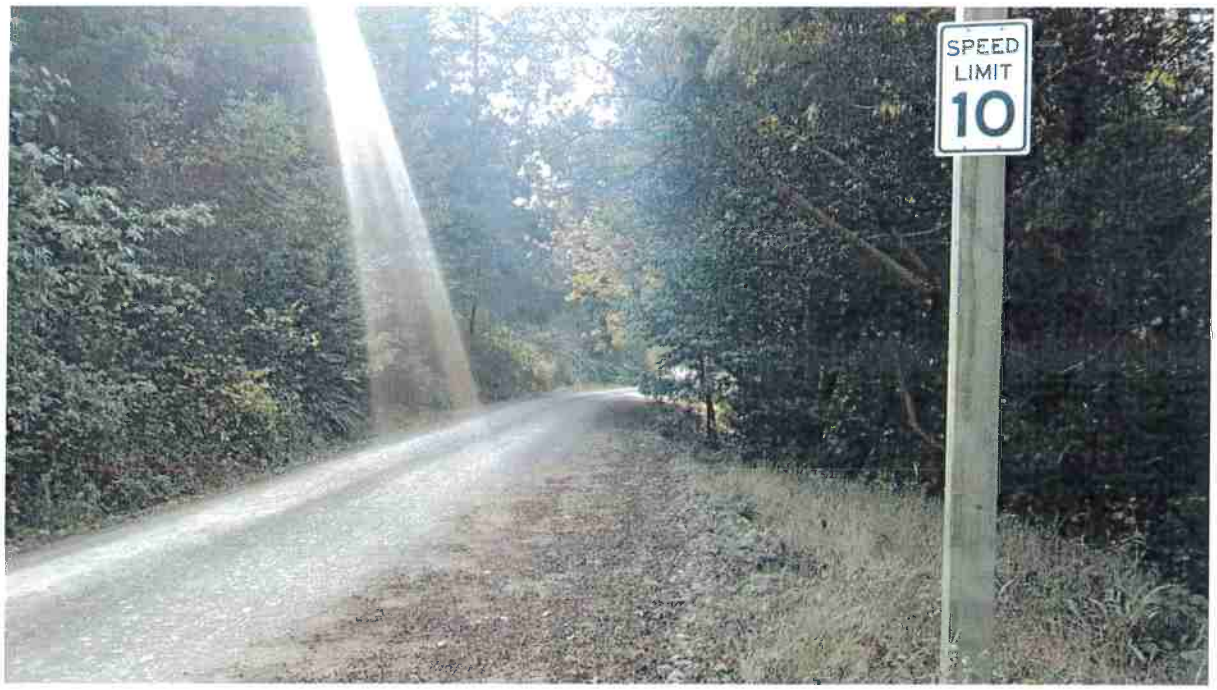
Bret Rinehart, PE
Rinehart Engineering

2

Road System Assessment & Improvement Plan

RECEIVED
SEP - 6 2019
Humboldt County
Planning Division

37773 Mattole Road
Petrolia, CA 95558
APNs 104-071-004 and 104-071-005
Freerange Holdings, LLC
7.17.2019



Prepared By:

Rinehart Engineering
Bret Rinehart, PE
559 Howard Heights Rd
Eureka, CA 95503
707-498-3414
rinehartengineering@gmail.com

REGISTERED PROFESSIONAL ENGINEER
BRET R. RINEHART
No. 70375
EXP. 9/30/20
CIVIL
STATE OF CALIFORNIA
7/17/19

Overview

The purpose of this road assessment report is to summarize current road conditions leading to the Freerange Holdings, LLC cultivation project (Project) sites, and identify corrective measures needed for compliance with the Humboldt County road systems performance standards as well as the General Order requirements of the State Water Resources Control Board Division of Water Quality (Water Board). All road segments were evaluated for their drainage features as well as their capacity to support expected volumes of 4-12 additional vehicles per day related to cultivation activities. The following assessment will be presented in Road Segments A through F.

The Project site is accessed via Reynolds Road, a 1.1mile road that connects to the County-owned Mattole Road. Reynolds Road is a 20 ft wide, crowned gravel road that meets Cal Fire standards and Category 4 standards as outlined in the Appendix to Title III, Division II of the Humboldt County Code (Title III). Reynolds Road terminates on the Freerange Holdings, LLC property where it branches into access roads that meet the Category 3 and Category 1 standards of Title III. The access roads to the Project cultivation and processing sites meet all performance standards required by Humboldt County Code 314-55.4.12.1.8 including Dead End Road Length and Functional Capacity, and are expected to accommodate cultivation related traffic.

During construction of the road improvements prescribed herein, best management practices and standard designs presented in Appendix B of the Five Counties '*Water Quality and Stream Habitat Protection Manual for County Road Maintenance in Northwestern California* Watersheds' (Five Counties Road Manual) will be employed to appropriately handle runoff and increase longevity of service.

Road Maintenance Association (RMA) Information

The Applicant will be the only permit holder on Reynolds Road, and therefore the formation of a Road Maintenance Association is not required (per section 314-55.4.12.1.8). The Applicant will be solely responsible for maintaining the roads on APNs 104-112-007, 104-071-004 and 104-071-005. Further, the applicant will make arrangements with the neighboring easement holders to ensure regular maintenance of Reynolds Road up to their respective termini.

Road Segment A

Mattole Road to Main Project Site - 1.1 miles

Summary

The Project properties are accessed from Mattole Road via Reynolds Road, a private Category 4 roadway (Road Segment A) per Title III. Road Segment A passes through one parcel before continuing through the 3 parcels owned by Free Range Holdings, LLC.

Road Segment A begins with a 15 ft wide gate with a large turnout at the entrance. The road is approximately 20 ft wide with slopes no greater than 15%. The road surface is an armored and crowned road with numerous functional drainage features. Twelve culverts exist along Road Segment A, four of which convey to Class II/Class III drainages, with the remainder of the culverts serving as inboard ditch relief. Crossing each drainage from mile zero to mile 1.1 along Road Segment A, the corrugated metal pipe (CMP) culvert diameters are 36 inches, 60 inches, 60 inches, and 18 inches, respectively. These crossings are near the top of a ridge and are tributaries to Squaw Creek. All ditch relief culverts are 18" CMP's that are appropriately sized and spaced evenly along the road.

Between the inboard ditch relief culverts, several rolling dips are installed on the outboard side of the road crown and spaced appropriately along the road. There was no evidence of overtopping or erosion at the time of inspection. Road Segment A is a safe and stable road with functioning drainage features that require only routine maintenance.

Recommendations

Upon inspection, the stream crossing culverts appear to under-sized, and may require being replaced pending a California Department of Fish & Wildlife (CDFW) notification LSAA 1600-2019-0326-R1. The following recommendations are therefore subject to change. Corrective measures as part of the notification may include, but not limited to, disconnecting road drainage features from drainage channels. Each outlet, at minimum, requires the addition of rock at the outlets to dissipate energy and eliminate the existing drop to prevent further incision that could lead to a projected outlet or culvert failure. Energy dissipation, and downs spouts (where appropriate), should be placed according to design standards shown in Appendix B-3.6 and 3.7 in the Five Counties Road Manual on the four stream crossings. Rock used at the outlets will be sized for each culvert using the design standards in Appendix B-7.9 of the Five Counties Road Manual. These steep drainages are also prone to passing debris and routine maintenance at the culvert inlets will be required to maintain proper function. At the end of the design life, or at the time of failure, new appropriately sized culverts should be placed on grade with the channel to prevent major grade breaks in the flow path. This will reduce the risk of incision and reduction of capacity caused by plugging. To further decrease the risk of a plugged culvert, the head water to diameter ratio should be verified to be ±0.6 at the time of installation.

Each ditch relief culvert also requires routine maintenance and energy dissipation at the outlets as specified in Appendix B-3.6 and 3.7 of the Five Counties Road Manual. Downspouts should be added to any ditch relief culvert that discharges onto the road prism.

As of the date of this inspection, all rolling dips are smooth and stable, and do not require any major repair. Routine maintenance should be continued. In some areas, spoils from the last road grading, line the edge of the road preventing runoff from being shed. These spoils should be spread out and stabilized. Spoils also exist at the outlet of some of the rolling dips. These outlets should be stabilized with energy dissipation mechanisms as per the design standards in Appendix B-8.6 of the Five Counties Road Manual.

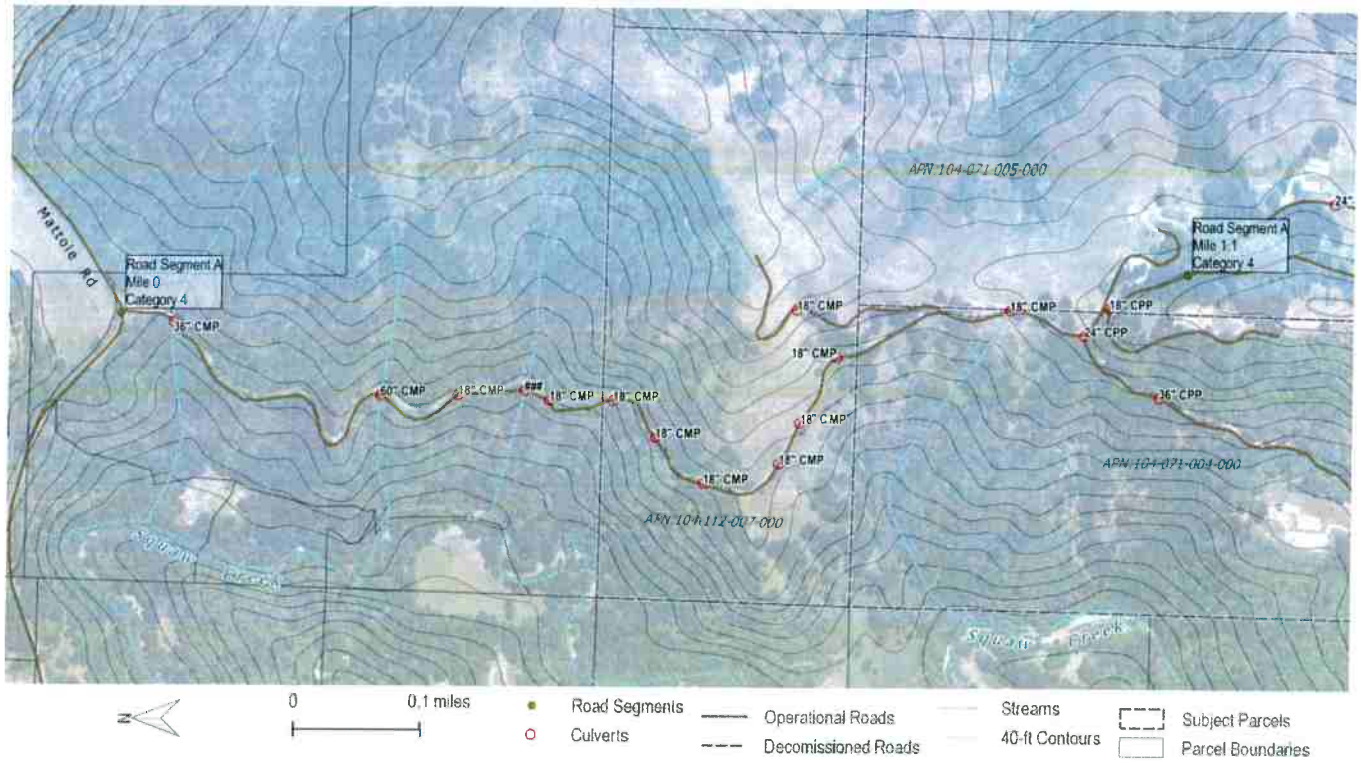


Figure 1: Road Segment A Overview

Figure 2: Condition of Road Segment A at time of first inspection.

Road Segment B

End of Road Segment A to Proposed Rain Catchment Pond Site - 0.5 miles

Summary

Road Segment B is a continuation of Reynolds Road (Road Segment A), which sees less use. One other parcel can be accessed through an easement on Reynolds Road, but it is not known how often this access is used. The road climbs up to a ridge along a cut bank road approximately 16 ft wide at slopes no greater than 15%. The road has been armored and has surface drainage features and inboard ditch culverts toward the beginning of the road segment. The inboard ditch continues under the entrance of Road Segment D and Road Segment E through 24" corrugated plastic pipe (CPP) culverts before being discharged. The surface drainage features have been overtopped which has caused localized erosion on the lower portion of the road, overwhelming the inboard ditch. The remaining armor appears to be native rock embedded into the road surface. Once the grade becomes less steep, the surface drainage functions better from the out-sloped nature of the road. The road continues beyond the 0.5 mile marker shown on Figure 3 and terminates on the adjacent property. It is seldom used and is not expected to be subject to increased use due to cultivation. The width and use of the road meets Category 3 road standards per Title III.

Recommendations

The following recommendations are also subject to change per pending CDFW LSAA 1600-2019-0326-R1. Corrective measures as part of the notification may include, but not limited to, disconnecting road drainage features from drainage channels. Road Segment B requires the addition of imported aggregate rock to be used on the road surface. At road sections along a cut bank, the road should be crowned to allow out sloped drainage as well as inboard drainage. Currently, the rolling dips in place have been eroded in spots and need to be improved per the standard designs in Appendix B-8.6 of the Five Counties Road Manual. Rolling dips should be spaced in a way to effectively discharge inboard drainage to prevent further disturbance to the road. The inboard ditch can be lined with check dams to slow water before being discharged by the rolling dip, minimizing surface erosion. When appropriate, a grade reversal may occur at a rolling dip to alternate the road drainage from inboard/crowned to an out sloped road. Beyond the entrance to the proposed rain catchment pond site (0.5 miles), the road is still subject to review by CDFW and the North Coast Water Quality Control Board (NCWQCB) and may require corrective actions.

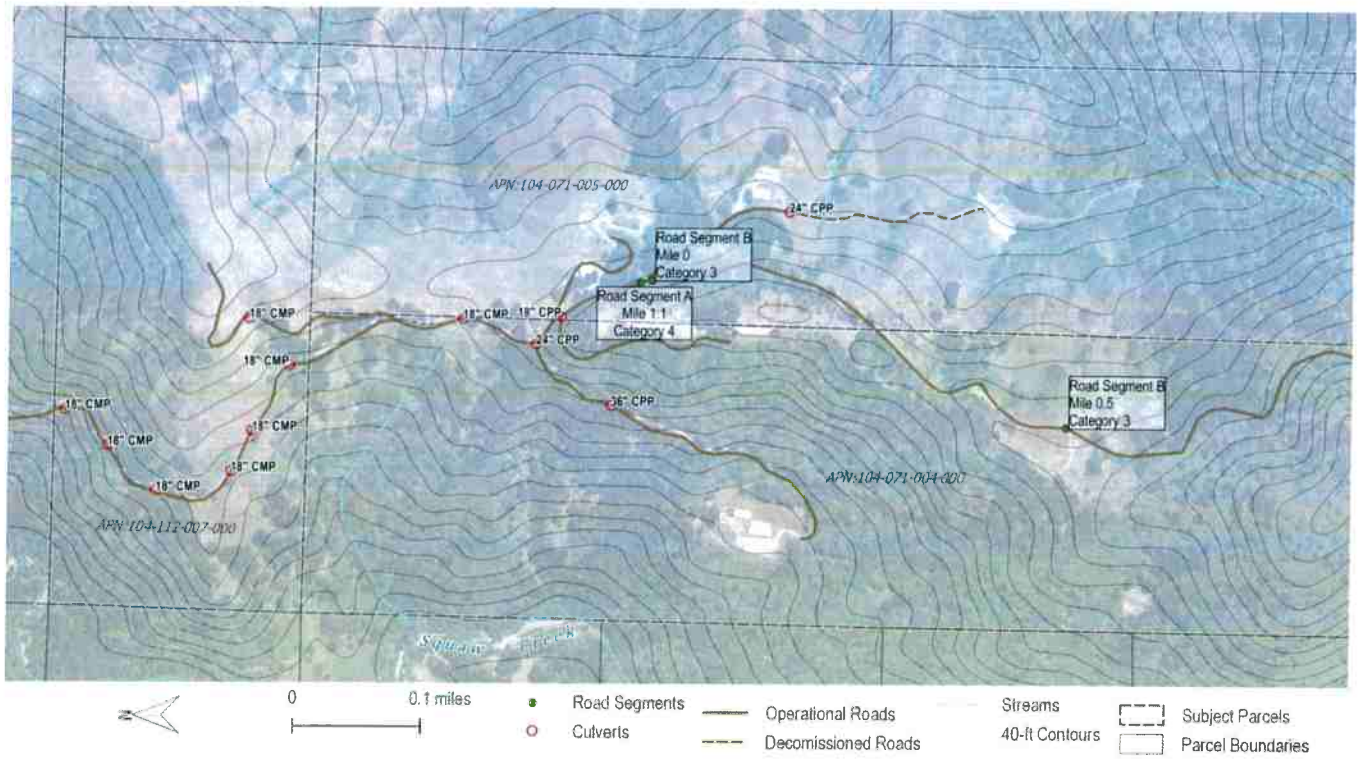


Figure 3: Road Segment B Overview

Figure 4: Current Condition of Road Segment B

Road Segment C

End of Road Segment A to Abandoned Cultivation Site and AG Storage Area - 0.1 miles

Summary

Road Segment C is an approximately 18 ft wide road with slopes less than 15%. The road leads to a barn and an abandoned cultivation site. A defined inboard ditch captures road surface runoff before discharging through an 18" CPP culvert that directs flow toward a seasonal drainage. Evidence of poor drainage exists due to the adjacent graded flat with signs of standing water in some areas. The road continues across the seasonal drainage that is conveyed through a 24" CMP culvert. The crossing is at the headwaters of a seasonal tributary to Granny Creek. This section of the road was used to access a legacy cultivation site, that is not currently in use, as well other property features that are not used for commercial activity. Up to the seasonal drainage crossing, the width and use of the road meet Category 3 road requirements per Title III. From the seasonal drainage to beyond the legacy cultivation site, the road meets Category 1 requirements per Title III.

Recommendations

The following recommendations are subject to change per pending CDFW LSAA 1600-2019-0326-R1. Corrective measures as part of the notification may include, but not limited to, disconnecting road drainage features from drainage channels. Additional road armor should be imported and placed to crown the road allowing for out sloped drainage and inboard drainage. Where appropriate, the road should be completely out sloped to relieve the inboard ditch as much as possible. At the 18" CPP inboard ditch relief culvert, an armored sediment basin that meets the design standards of Appendix B-3.8 in the Five Counties Road Manual should be installed. A downspout and energy dissipators that meet the design standards of Appendix B-3.6 and 3.7 should also be installed. In addition to the road improvements, the graded area should be brought up to grade with armored material to improve site drainage. The perimeter of the flat should be out sloped to 2% maximum and lined with a vegetated bio swale to treat runoff.

Cultivation will not continue on the graded area of the legacy site, and the graded area shall be stabilized and seeded as necessary. The 24" CMP culvert shall remain. The road shall be maintained to meet Category 1 requirements per Title III and may require corrective action pending the referenced CDFW notification.

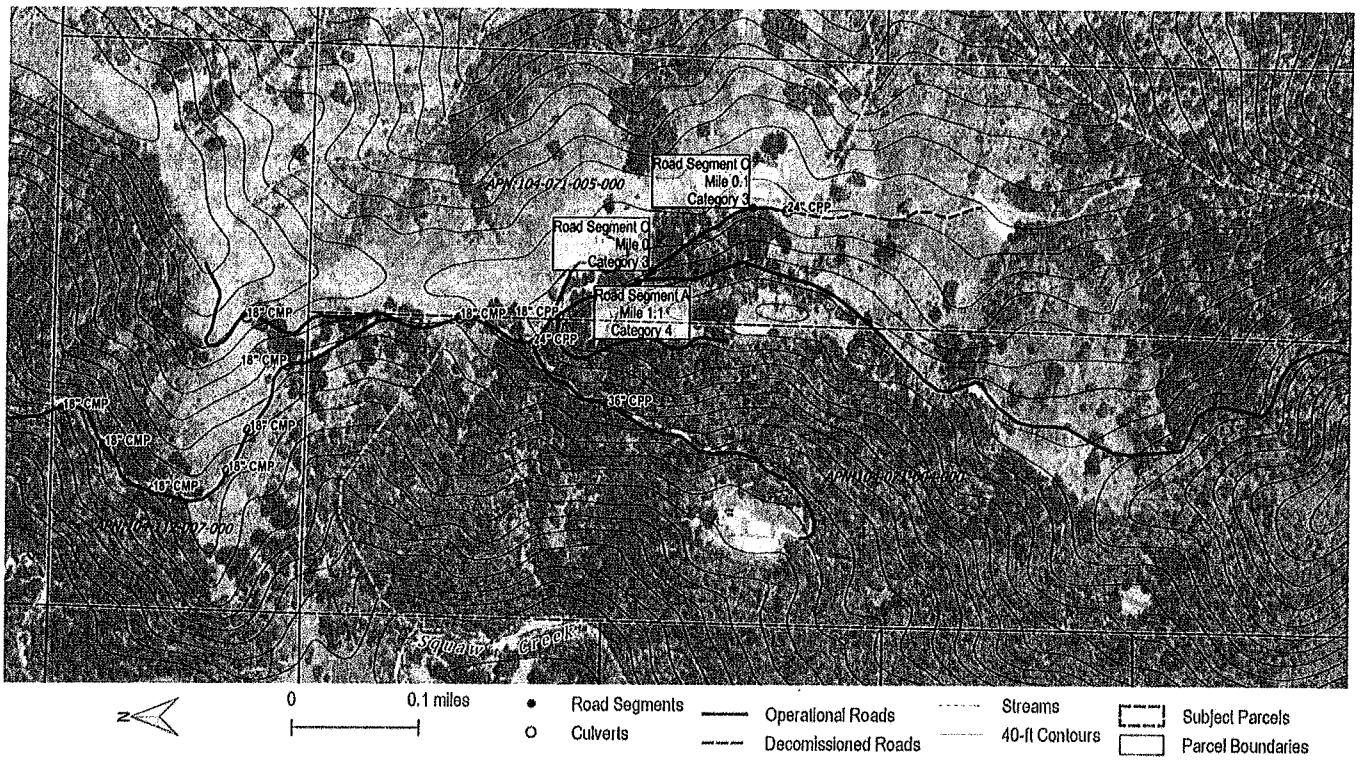


Figure 5: Road Segment C Overview

Figure 6: Road Segment C - 24" inboard ditch culvert inlet and current road surface.

Road Segment D

End of Road Segment A to Existing Water Storage Area - 0.2 miles

Summary

Road Segment D turns west from the end of Road Segment A up a 15% grade. The road crosses an 18" CPP ditch relief culvert that serves inboard road drainage from Road Segment B. It continues up a 15% grade and maintains an approximately 15 ft width, constrained by trees. The road is armored primarily by the native rock subgrade and has several rolling dips in place. The rolling dips have been over topped and localized erosion was present at the time of inspection. Before reaching the main water storage area, the road accesses a graded flat previously used for legacy cultivation. The slope of the road is reduced at this point before one final pitch to the existing water storage area. The final pitch is a 15% grade and approximately 15 ft wide. This road segments meets Category 1 standards per Title III.

Recommendations

Road surface armor should be imported and graded to out slope the road, abandoning any inboard ditch drainage and maximizing the width. All rolling dips should be reshaped to meet the standard designs in Appendix B-8.6 of the Five Counties Road Manual. All water storage will be moved to a lower elevation area, but the site will still be accessed occasionally for monitoring and maintenance of the water distribution system. Any segment of road not needed for water system maintenance access shall be abandoned with appropriate drainage features incorporated as necessary.

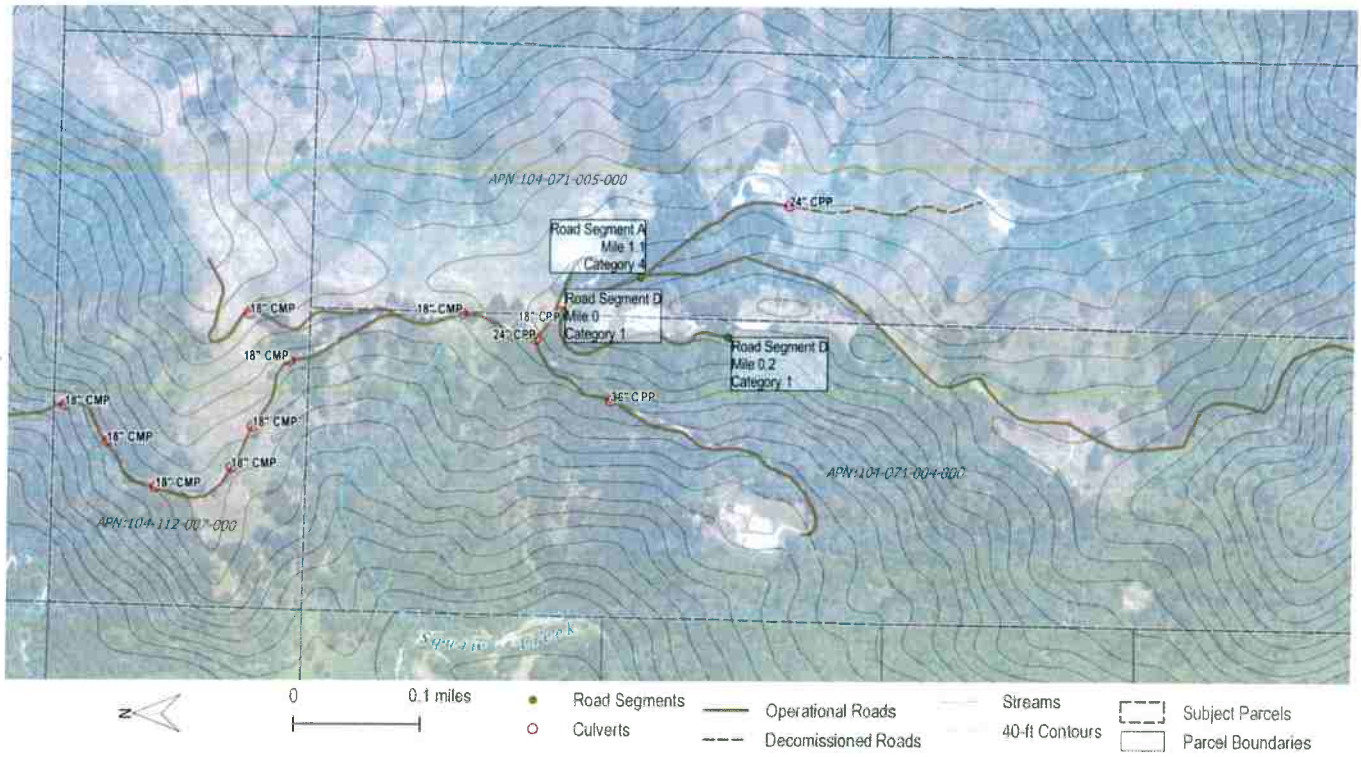


Figure 7: Road Segment D Overview

Figure 8: Existing Condition of Road Segment D

Road Segment E

End of Road Segment A to Existing Cultivation Area - 0.3 miles

Summary

This segment travels downhill from Road Segment A to an existing cultivation area. It immediately crosses a 24" CPP inboard ditch culvert that discharges the Road Segment B inboard ditch. The road has been recently armored with numerous functioning rolling dips spaced appropriately. There are no slopes greater than 15% and the road maintains an approximate width of 16 ft. An inboard ditch runs along the road before being conveyed by a 36" CPP ditch relief culvert. This culvert also conveys runoff from a short and steep drainage area that begins from Road Segment D's surface drainage. The culvert inlet is an excavated bowl that effectively drains both sources. The culvert outlet has ample rock energy dissipation. Along the final curve of the road before reaching the cultivation flat, the road is crowned and an inboard ditch conveys surface runoff to a seasonal tributary that flows into Squaw Creek. The current conditions of the road meet Category 3 Standards of Humboldt County Title III.

Recommendations

The following recommendations are subject to change per CDFW LSAA 1600-2019-0326-R1. Corrective measures as part of the notification may include, but not limited to, disconnecting road drainage features from drainage channels. The road surface is in stable condition and requires no additional material at the time of inspection. Routine work should be carried out to maintain the surface and functionality of the rolling dips. On the inboard ditch, check dams and a sediment basin shall be installed near the culvert inlet that meets the design standards in Appendix B-3.8 and B-9.1 of the Five Counties Road Manual. The bowl that has been excavated for the steep drainage should be laid back to blend in with the native slope and to accommodate the reshaped inlet bowl. Stabilization and erosion control methods shall be incorporated into the reshaped inlet bowl to meet design standards in Appendix B-4.2 in the Five Counties Road Manual. The inboard ditch culvert was not placed on grade with the steep and short drainage and is subject to plugging due to the current excavated inlet bowl. As a result, the culvert outlet is discharged near the road surface onto a rocked energy dissipator to spread the flow. In order to improve overall performance and address the existing poor culvert alignment, the culvert shall be replaced at the end of design life or at the time of failure with a longer segment to be placed on grade with the steep slope and discharge lower onto the road prism to meet the design standards of Appendix B-3.6 of the Five Counties Road Manual.

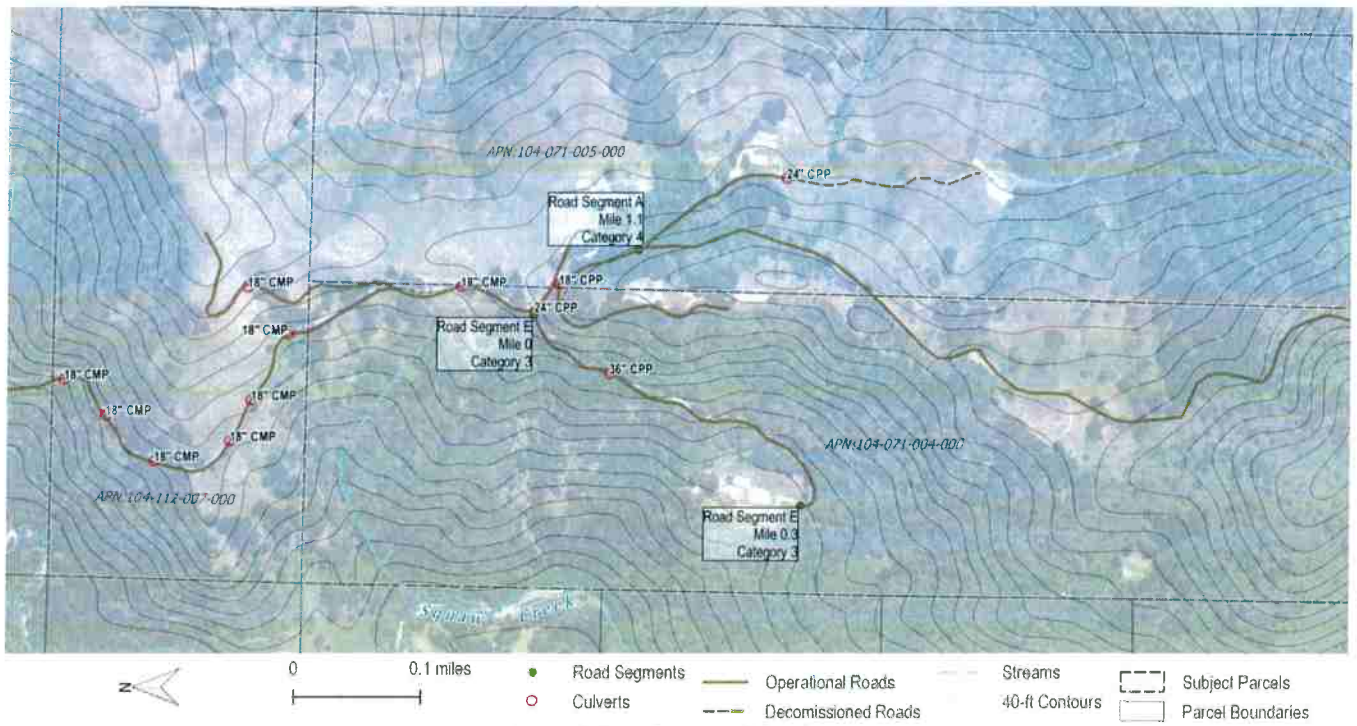


Figure 9. Road Segment E Overview

Figure 10: Existing Conditions of Road Segment E

Figure 11: Current Conditions of 36" CPP inboard relief culvert

ATTACHMENT 4

REFERRAL AGENCY COMMENTS AND RECOMMENDATIONS

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

Referral Agency	Response	Recommendation	Location
Building Inspection Division	✓	Comments	On file
Division Environmental Health	✓	Approved	On file
Public Works, Land Use Division	✓	Conditional Approval	**Attached**
CalFIRE	✓	Comments	**Attached**
California Department of Fish & Wildlife		No response	
Northwest Information Center	✓	Consultation with Tribe	On file
Bear River Band Rancheria	✓	Inadvertent discovery protocol	On file
Intertribal Sinkyone Wilderness Council		No response	
Humboldt County Sheriff	✓	Approved	On file
County Counsel		No Response	
Humboldt County District Attorney		No response	
AG Commissioner		No response	
North Coast Regional Water Quality Control Board		No response	
District Attorney		No response	
Honeydew VFC		No response	
Mattole Unified School District		No response	
Division of Water Resources		No response	

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

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

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

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

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

LAND USE DIVISION INTEROFFICE MEMORANDUM

TO: Stephen Luther, Planner, Planning & Building Department

FROM: Kenneth M. Freed, Assistant Engineer

DATE: 09/25/2019

RE:

Applicant Name	**FREERANGE HOLDINGS LLC CO**
APN	**104-071-005**
APPS#	**PLN-2018-15200**

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

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

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

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

☐ *Road Evaluation Reports(s)* are required; See **Exhibit "D"**

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

No re-refer is required.

*Note: Exhibits are attached as necessary.

Additional comments/notes:

Applicant has submitted a Road System Assessment & Improvement Plan, stamped received by the Humboldt County Planning Division on April 16, 2019. The road plan mainly talks about drainage features and future maintenance of the road.

The submitted Road System Assessment & Improvement Plan did not include the required Road Evaluation Report Form developed by the Department. Once the form is submitted (if required by Planning Dept.), the Department will require that all Engineer recommendations addressing the functionality (not maintenance) of the access road to be completed.

// END //

Exhibit "A"

Public Works Recommended Conditions of Approval

(All checked boxes apply) APPS # 15200

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

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

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

_____

_____

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

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

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

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

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

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

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

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

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

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

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

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

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

// END //

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

- [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: 9/17/19 Name: Lucas Titus

CAL FIRE RM has received the timber conversion report from a RPF and has evaluated the report. No further comments at this time. Apps#15200

Battalion Chief Comments: Date: Name:

Summary: