



**COUNTY OF HUMBOLDT**  
**PLANNING AND BUILDING DEPARTMENT**  
**CURRENT PLANNING DIVISION**

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Hearing Date: September 16, 2021

To: Humboldt County Planning Commission

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

Subject: **Soul Arc Solutions, Inc., Conditional Use Permit and Special Permit**  
Record Number: PLN-12085-CUP  
Assessor's Parcel Number (APN): 108-012-008  
12035 Wilder Ridge Road, Ettersburg area

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

## AGENDA ITEM TRANSMITTAL

Hearing Date	Subject	Contact
September 16, 2021	Conditional Use Permit and Special Permit	Max Hilken

**Project Description:** A Conditional Use Permit for 27,000 square feet of existing outdoor cannabis cultivation. Propagation occurs on-site within existing hoop houses. Water for irrigation is sourced from a diversion of the Mattole River, and rainwater catchment, as well as a pond on an adjacent parcel (APN 108-012-009). Water is stored in 11 hard tanks (50,600 gallons), and a pond on the adjacent parcel (APN 108-012-009) (approximately 400,000 gallons) for a total of 450,600 gallons. Drying and curing would be completed on-site in an existing 2,400-square-foot facility, with other processing (trimming) occurring off-site at a licensed facility. A maximum of four people would be on-site during peak operations. Electricity is sourced from generator power with solar power proposed.

**Project Location:** The project is located in Humboldt County, in the Ettersburg area, on the North side of Wilder Ridge Road, approximately .5 miles North from the intersection of Wilder Ridge Road and Harrow Road, and approximately 2 miles North from the intersection of Wilder Ridge Road and a Private Drive on the property known as 12035 Wilder Ridge Road.

**Present Plan Land Use Designations:** Timberland (T); 2017 General Plan; Density: 40-160 acres per unit; Slope Stability: Moderate Instability (2).

**Present Zoning:** Timber Production (TPZ)

**Record Number:** PLN-12085-CUP

**Assessor's Parcel Number:** 108-012-008

**Applicant**

Soul Arc Solutions, Inc.  
1072 Castias Pass Road, STE 127  
Carpinteria, CA 93013

**Owner**

Grindstone Openings Lp  
PO BOX 71  
Whitethorn, CA 95548

**Agent**

Shannon Gibson  
5600 West End Rd  
Arcata, CA, 95521

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

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

**Major Issues:** None.

**Recommended Commission Action:**

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

*Find that the Commission has considered the Addendum to the adopted Mitigated Negative Declaration for the Commercial Medical Marijuana Land Use Ordinance (CMMLUO) as described by Section §15164 of the State CEQA Guidelines, make all the required findings for approval of the Conditional Use Permit and Special Permit and adopt the Resolution approving the Soul Arc Solutions, Inc., project as recommended by staff subject to the recommended conditions.*

**Executive Summary:** Soul Arc Solutions, Inc., seeks a Conditional Use Permit for continued cultivation of 27,000 square feet (SF) of outdoor cannabis, in accordance with Humboldt County Code 314-55.4 of Chapter 4 of Division 1 Title III, Commercial Medical Marijuana Land Use Ordinance (CMMLUO). The site is designated as Timberland (T) in the Humboldt County 2017 General Plan Update and zoned Timber Production Zone (TPZ) and minimum density site area is 40 acres. Cultivation was historically located in three areas across the property. Cultivation Area 1 is nearest to the property entrance on the access road to all cultivation sites and Cultivation Area 2 is the northwest most cultivation area located at the end of an approximately 0.6-mile road. Cultivation Area 3 is located at the termination of the access road. Areas 1 and 3 are proposed for continued use with slight modifications while Area 2 is proposed for onsite relocation. Propagation occurs on-site within the existing hoop houses and total cultivation area, including propagation does not exceed 27,000 square feet. Please note: the site plan attached is also used for State licensing where outdoor cultivation techniques is considered mixed light cultivation. Per the CMMLUO definitions, the type of cultivation occurring on-site is outdoor.

The applicant also seeks a Special Permit for water diversion approved under the State Water Resources Control Board (SWRCB) Small Irrigation Use Registration (SIUR) Certificate H100163 (Registration #H500786); the use of the point of diversion commenced in 1989 according to the Initial Statement of Water Diversion and Use (see Attachment 3). The SWRCB SIUR dictate that diversion from any POD must be confined to November 1st through March 31st and allows for the appropriation of 1.26 acre-feet (410,572 gallons) of water annually for cannabis cultivation. The total storage capacity shall not exceed 1.20 acre-feet (391,021 gallons). The rate of diversion to storage shall not exceed 42,000 gallons per day (gpd) or the diversion rate specified in the current version of the State Water Board's Cannabis Policy, whichever is more restrictive. The applicant submitted a Lake or Streambed Notification to the California Department of Fish and Wildlife for use of the point of diversion and the conditions of approval require the applicant to submit a copy of the final agreement with CDFW and adhere to all requirements of the final agreement.

Cultivation relocation is proposed to be relocated onsite and reorganized into hoop house structures to utilize light deprivation techniques, with a remainder of 4,940 SF that will utilize full sun cultivation techniques. The reorganization includes remediation of past outdoor cultivation areas scattered onsite that required full clean up and removal of cultivation related materials from the pre-existing cultivation sites. Additionally, any reseeding or re-forestry of the historic cultivation sites as required under the restoration plan (required under conditions of approval) as recommended by a Registered Professional Forester and as described later in this summary. The onsite relocation area is located on a central location with less than 15% slopes. The light deprivation hoop houses are expected to yield two (2) harvests per year. Because historic cultivation was mainly full sun outdoor, this permit does not authorize the use of fans or dehumidifiers in the greenhouses that contain the reorganized cultivation areas.

A review of aerial imagery shows timberland conversion has taken place in several phases with the first clearing occurring in conjunction with harvesting actions under permit NTMP 1-02-085-Hum a 22-acre Timber Harvest Plan (THP) prior to 2009 in which the existing structure on the southside and neighboring house were built. Additional harvesting occurring in 2012, creating much of the open space where cultivation took place historically in 2014. In 2017, additional clearing occurred in which two groups of trees near the southern structure were cleared for the placement of greenhouses, two permanent structures, water storage tanks, and a generator. Per the Less than 3 Acre Conversion Report prepared by Mad River Properties, Inc. dated May 24, 2018, the conversion occurring after 2016, northern (0.11-acres) and southern (0.40-acres) occurred within an area that has no riparian buffers nor rare, threatened, or endangered animals and plants per a 2017 California Natural Diversity Data Base (CNDDB) search. A Botanical Survey Report (BSR) was prepared 8/24/2018 by Hohman and Associates (Attachment 3) that describes botanical surveys performed onsite on March 28, 2018, and June 18, 2018. The report concluded no protected rare or endangered plants were onsite during the surveys. The report included recommendations that the project observe all Streamside Management Areas (SMA) to avoid any potential impacts to riparian habitat. Hoary gooseberry occurred in the upland forest edge habitats throughout the properties, the project was determined to not have any likely impact to the population. No additional conditions of approval are recommended for adherence to the recommendations included within the BSR as these requirements are enforced through adherence to the Streamside Management and Wetland Area Ordinance (SMAWO). Per the applicants Nitrogen Management Plan (Attachment 3) all fertilizers are to be stored in covered sheds or buildings utilizing secondary containment.

This timber clearing was not consistent with the Mitigated Negative Declaration (MND) adopted by the County on September 13, 2016, prepared for adoption of the CMMLUO. The MND assumed there would be no additional timber conversion associated with cannabis cultivation. The Agriculture and Forest Resource section of the Mitigated Negative Declaration prepared for the CMMLUO states that the impact to existing zoning for forest land, timberland, and TPZ is less than significant, because the discretionary permitting process would also enable after-the-fact review and permitting of illegal conversions through the implementation of remediation measures including restocking or the preparation of a notice of timberland conversion or less than 3-acre conversion. Thus, as a condition of approval, the applicant will provide an addendum to the Less than Three Acre Conversion Mitigation Plan prepared by a Registered Professional Forester (RPF) to specifically address the approximately 0.51 acres of timber land converted after 2016. The addendum will contain discussion of the ecological value of the converted forest land with specific discussion of the habitat value for Northern Spotted Owl (NSO). The report will include the number and species of trees removed. The restoration plan must include NSO habitat enhancement at a 3:1 ratio to the area converted which may include removal of invasive species, thinning, and restocking and shall include monitoring and reporting components to ensure success of the recommended remedial actions. The report will be submitted for approval to the Planning Department and will be evaluated in consultation with the California Department of Fish and Wildlife.

The applicant estimates 274,000 gallons of water is required to meet operations needs with peak usage June through August averaging 40,000 gallons each month (10.15 gal/SF/year). There is a total of 50,600 gallons of water storage provided by hard-sided tanks and additional water storage is provided by a 500,000-gallon pond on the adjacent parcel to the south identified as APN: 108-012-009. Water for irrigation is provided the point of diversion located in the Mattole River and rainwater catchment via the pond.

Water for cannabis cultivation irrigation is provided by a surface point of diversion and rainwater catchment. A Right to Divert and Use Water (Registration #H500786) (Attachment 3) has been authorized through State Water Resources Control Board (SWRCB) which allows for the diversion and storage of water from the Mattole River during the rainy season for use during the forbearance period (April 1 – October 31). Water for irrigation will be supplemented by a rainwater catchment system comprised of thirty (30) greenhouses. The average rainfall for the project area is 73 inches (6.1ft), based on averaging rainfall values from 2010 through 2020 as recorded by PRISM Climate Group. Impermeable surfaces such as roofs, driveways, etc. in general allow for about 620 gallons of rainwater catchment per



1,000 SF for every 1-inch of rainfall or .62 gallons per 1 SF. With a total impermeable rainwater catchment area of 21,985 sf, and an average rainfall amount of 73 inches, the sites potential capture amount totals 995,041 gallons per year on average. A detailed breakdown of proposed rainwater capture infrastructure and capture potentials are provided below in table 1.

Table 1 Proposed Rainwater Capture Analysis.

Capture Area ID	Infrastructure Description	Potential Capture Area (ft2)	Potential Average (2010-2020) Rainfall Capture Amount (gallons)
Area A	(20) 8'x80' Greenhouses	12,800	579,328
Area B	(1) 12'x100' and (2) 6'x100' Greenhouses	2,400	108,624
Area C	(4) 8'x80' and (1) 8'x60' Greenhouses	3,040	137,591
Area D	(1) 60'x70' Greenhouse	420	19,009
Area E	(1) 35'x95' Greenhouse	3,325	150,490
<b>Totals:</b>	N/A	21,985	995,041

Rainwater that is captured through the proposed infrastructure improvements will be stored in the existing eleven (11) 4,600-gallon hard sided tanks (50,600 gallons) and the 400,000-gallon rainwater catchment pond located on APN: 108-012-009. The pond additionally provides water storage capacity to an approved (Application #PLN-11598-CUP) which utilizes at least 129,000 gallons (32%) of the pond's total maximum storage capacity. The applicant is required to have a minimum of 235,000 gallons of water storage to meet forbearance requirements from April 1 through October 31 based on the 274,000 gallons as described within the Operations Plan (Attachment 3). Storage including the remainder of the pond capacity (271,000 gallons) and the existing hard sided tanks totals 321,600 gallons which means the project has an additional 86,600 gallons (137%) of water storage above the minimum requirement.

Grindstone Creek a tributary to the Mattole River and the Mattole River are located on the property. A Site Management Plan (SMP) was prepared by the applicant (Attachment 3) that includes a list of recommended best practices for erosion control, monitoring irrigation volumes to prevent runoff, and utilizing appropriate facilities for the storage of cultivation related materials consistent with the State Water Resources Control Board (SWRCB) and North Coast Regional Water Quality Control Board (NCRWQB). The applicant is enrolled in the NCRWQB and has provided documentation showing adherence to the cannabis general order WQ2019-0001-DWQ General Waste Discharge Requirements for Dischargers of Waste Associated with Cannabis Cultivation Activities (General Order) under SWRCB Cannabis Cultivation Policy (WDID \_12CC402929 Effective as of 05/22/2019). The applicant submitted a Notification of Lake or Streambed Alteration Agreement on 04/24/17 with the California Department of Fish and Wildlife (CDFW) for the existing point of diversion located onsite within the Mattole River for domestic and irrigation uses onsite (Attachment 3).

A review of the Biological Information and Observation System (BIOS) through the CDFW which includes layers depicting biological resources identified by the California Natural Diversity Database (CNDDDB) depicts no endangered or protected species onsite as of 8/04/2021. A Northern Spotted Owl (NSO) activity center was depicted as 0.68 miles from the nearest cultivation area onsite and the nearest positive sighting was 0.22 miles away. All light used in the nursery greenhouses will be covered with an opaque black-out tarp so that no light escapes during the night. The project will follow all applicable rules of Dark Sky Standards. The project is conditioned such that generators shall have secondary containment for fluid catchment and noise attenuation, and noise generated from generators shall not exceed 50 decibels (dB) at 100 feet from the generator or at the edge of the nearest forest habitat, whichever is closer, as required by Section 314-55.4.11(o) Humboldt County Code. Additionally, any grading and earthwork activities will be conducted by a licensed contractor in accordance with approved grading permits.

The subject property, APN 108-012-008, is accessed off of a private access road from Wilder Ridge Road. A Road Evaluation was prepared by the applicant which included a detailed overview of internal

access roads that includes depictions of 39 road points to provide context to the conditions of the road. The Road Evaluation indicates the private road is developed to the equivalent of a road category 4 standard. The Public Works Department recommends conditional approval provided all driveways and private road intersections onto the County Road be maintained in accordance with the County Sight Visibility Ordinance and that the intersection of Wilder Ridge Road and the private access road be improved to pave the private access road for a minimum width of 20 feet and a length of 50 feet where it intersects Wilder Ridge Road. The project includes recommended conditions of approval to adhere to the conditions requested by public works.

Environmental review for this project was conducted and based on the results of that analysis, staff finds that all aspects of the project have been considered in a previously adopted Mitigated Negative Declaration that was adopted for the Commercial Medical Marijuana Land Use Ordinance and has prepared an addendum to this document for consideration by the Planning Commission (See Attachment 2 for more information). Based on a review of Planning Division reference sources and comments from all involved referral agencies, Planning staff believes that the applicant has submitted evidence in support of making all of the required findings for approval of the Conditional Use Permit and Special 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 MND for the CMMLUO 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 two months later to give staff the time to complete further environmental review.

**RESOLUTION OF THE PLANNING COMMISSION  
OF THE COUNTY OF HUMBOLDT  
Resolution Number: 21-  
Records Number: PLN-12085-CUP  
Assessor's Parcel Number: 108-012-008**

**Resolution by the Planning Commission of the County of Humboldt certifying compliance with the California Environmental Quality Act and conditionally approves the Soul Arc Solutions, Inc. , Conditional Use Permit and Special Permit request.**

**WHEREAS**, Soul Arc Solutions, Inc., submitted an application and evidence in support of approving a Conditional Use Permit for 27,000 square feet of existing outdoor cannabis cultivation. Propagation occurs on-site within the existing hoop houses and total cultivation area, including propagation does not exceed 27,000 square feet. Water for irrigation is sourced from a diversion of the Mattole River, and rainwater catchment, as well as a pond on an adjacent parcel (APN 108-012-009). Water is stored in 11 hard tanks (50,600 gallons), and a pond on the adjacent parcel (APN 108-012-009) (approximately 400,000 gallons) for a total of 450,600 gallons. Drying and curing would be completed on-site in an existing 2,400-square-foot facility, with other processing (trimming) occurring off-site at a licensed facility. A maximum of four people would be on-site during peak operations. Electricity is sourced from generator power with solar power proposed.

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

**WHEREAS**, the Humboldt County Planning Commission held a duly-noticed public hearing on September 16, 2021, and reviewed, considered, and discussed the application for a Conditional Use Permit and reviewed and considered all evidence and testimony presented at the hearing.

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

- 1. FINDING:**                      **Project Description:** A Conditional Use Permit for 27,000 square feet of existing outdoor cannabis cultivation. Propagation occurs on-site within the existing hoop houses and total cultivation area, including propagation does not exceed 27,000 square feet. Water for irrigation is sourced from a diversion of the Mattole River, and rainwater catchment, as well as a pond on an adjacent parcel (APN 108-012-009). Water is stored in 11 hard tanks (50,600 gallons), and a pond on the adjacent parcel (APN 108-012-009) (approximately 400,000 gallons) for a total of 450,600 gallons. Drying and curing would be completed on-site in an existing 2,400-square-foot facility, with other processing (trimming) occurring off-site at a licensed facility. A maximum of four people would be on-site during peak operations. Electricity is sourced from generator power with solar power proposed.
- EVIDENCE:**                      a)      Project File: PLN-12085-CUP
- 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 Mitigated Negative Declaration (MND) prepared for the Commercial Medical Marijuana Land Use Ordinance (CMMLUO) adopted by the Humboldt County Board of Supervisors on January 26, 2016.

**EVIDENCE:**

- a) Addendum Prepared for the proposed project.
- b) The proposed project does not present substantial changes that would require major revisions to the previous MND. No new information of substantial importance that was not known and could not be known at the time was presented as described by §15162(c) of CEQA Guidelines.
- c) A Site Management Plan was prepared by the applicant, to show compliance with the State Water Resources Control Board WQ2019-0001-DWQ General Waste Discharge Requirements for Dischargers of Waste Associated with Cannabis Cultivation Activities (General Order) and addresses measures outlined in the Final LSAA. Conditions of approval require the applicant to adhere to and implement the recommendations of the SMP and submit a copy of the applicants Final LSAA.
- d) A review of the Biological Information and Observation System (BIOS) through the CDFW which includes layers depicting biological resources identified by the California Natural Diversity Database (CNDDDB) depicts no endangered or protected species onsite as of 8/04/2021. A Northern Spotted Owl (NSO) activity center was depicted as 0.68 miles from the nearest cultivation area onsite and the nearest positive sighting was 0.22 miles away. The project is conditioned such that combined noise generated from generators shall not exceed 50 decibels (dB) at 100 feet from the generator or at the edge of the nearest forest habitat, whichever is closer, as required by Section 314-55.4.11(o) Humboldt County Code. The project is also conditioned to avoid heavy equipment operations during NSO critical period (February 1 – July 31) or perform protocol level surveys prior to initiating that work. Furthermore, the project is conditioned to adhere to Dark Sky Standards for greenhouse lighting and security lighting, refrain from using synthetic netting, ensure refuse is contained in wildlife-proof storage, and refrain from using anticoagulant rodenticides to further protect wildlife. As proposed and conditioned, the project is consistent with CMMLUO performance and will not negatively impact NSO or other sensitive species.
- e) Timberland conversion has taken place in several phases with the first clearing occurring in conjunction with harvesting actions under permit NTMP 1-02-085-Hum a 22-acre Timber Harvest Plan (THP) prior to 2009 in which the existing structure on the southside and neighboring house were built. This timber clearing was not consistent with the Mitigated Negative Declaration (MND) adopted by the County on September 13, 2016, prepared for adoption of the CMMLUO. The MND assumed there would be no additional timber conversion associated with cannabis cultivation. The Agriculture and Forest Resource section of the Mitigated Negative Declaration prepared for the CMMLUO states that the impact to existing zoning for forest land, timberland, and TPZ is less than significant, because the discretionary permitting process would also enable after-the-fact review and permitting of illegal conversions through the implementation of remediation measures including restocking or the preparation of a notice of timberland conversion or less than 3-acre conversion. Thus, as a condition of approval, the applicant will provide an addendum to the Less than Three Acre Conversion Mitigation Plan prepared by a Registered Professional Forester (RPF) to specifically address the approximately 0.51 acres of timber land converted after 2016. The addendum will contain discussion of the ecological value of the converted forest land with specific discussion of the habitat value for Northern Spotted Owl (NSO). The report will include the number and species

of trees removed. The restoration plan must include NSO habitat enhancement at a 3:1 ratio to the area converted which may include removal of invasive species, thinning, and restocking and shall include monitoring and reporting components. If applicable, a portion of the cultivation area may need to be restocked, which will reduce the cultivation area on site.

- f) Cultivation relocation is proposed to be relocated onsite and reorganized into hoop house structures to utilize light deprivation techniques, with a remainder of 4,940 SF that will utilize full sun cultivation techniques. The reorganization includes remediation of past outdoor cultivation areas scattered onsite that required full clean up and removal of cultivation related materials from the pre-existing cultivation sites. Additionally, any reseedling or re-forestation of the historic cultivation sites as required under the restoration plan (required under conditions of approval) as recommended by a Registered Professional Forester and as described later in this summary. The onsite relocation area is located on a central location with less than 15% slopes. The light deprivation hoop houses are expected to yield two (2) harvests per year. Because historic cultivation was mainly full sun outdoor, this permit does not authorize the use of fans or dehumidifiers in the greenhouses that contain the reorganized cultivation areas.
- g) A Cultural Resources Investigation was prepared in June 2017 by Alta Archaeological Consulting. Per the Report, no cultural resources were identified within the project area as a result of the fieldwork conducted on May 9, 2017. The project as designed is not anticipated to have an adverse effect on significant historical resources. Bear River Band of the Rohnerville Rancheria indicates that a previously recorded cultural site exists on the property, the recommendation was that inadvertent discovery protocol should be included as a condition of project approval. Additionally, further archaeological consultation will be required for any further developments on this property outside the scope of the proposed project. These recommendations have been included as conditions of approval for this project.
- h) A Road Evaluation was prepared by the applicant which included a detailed overview of internal access roads that includes depictions of 39 road points to provide context to the conditions of the road. The Road Evaluation indicates the private road is developed to the equivalent of a road category 4 standard. The Public Works Department recommends conditional approval provided all driveways and private road intersections onto the County Road be maintained in accordance with the County Sight Visibility Ordinance and that the intersection of Wilder Ridge Road and the private access road be improved to pave the private access road for a minimum width of 20 feet and a length of 50 feet where it intersects Wilder Ridge Road. The project includes recommended conditions of approval to adhere to the conditions requested by public works.

#### **FINDINGS FOR CONDITIONAL USE PERMIT AND SPECIAL PERMIT**

### **3. FINDING**

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

#### **EVIDENCE**

- a) The proposed cannabis cultivation, an agricultural product, is within land planned and zoned for agricultural purposes (Timberland (T) land use designation), consistent with the use of Open Space land for managed production of resources. The use of a Timberland 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**

To provide minimum standards pertaining to the use and development of land located within Streamside Management Areas (SMAs) and other wet areas (OWA) to implement the County's Open Space Element of the General Plan.

**EVIDENCE**

Conditions of approval require the applicant to adhere to the terms and conditions of the Right to Use and Divert Water issued by the State Water Resources Control Board (SWRCB). The applicant submitted a Lake or Streambed Alteration Notification to the California Department of Fish and Wildlife (CDFW). Conditions of approval require the applicant to submit a Final Streambed Alteration Agreement issued by CDFW and adhere to and implement the requirements for the life of the project. By implementing permit conditions from the SWRCB and CDFW, impacts to the SMA are minimized, therefore, staff supports approval of the Special Permit.

**5. FINDING**

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

**EVIDENCE**

- a) The Timber Production Zone (TPZ) Zone is intended to be applied in fertile areas of the County in which accessory agricultural uses and structures are a principally permitted use.
- b) Agricultural uses are principally permitted in the AE zone.
- c) Humboldt County Code section 314-55.4.8.2.2 allows cultivation of up to 43,560 square feet of existing outdoor cannabis and up to 22,000 square feet of existing mixed-light cannabis on a parcel over 1 acre subject to approval of a Conditional Use Permit and a determination that the cultivation was in existence prior to January 1, 2016. The application for an existing 27,000 square feet (SF) of outdoor cannabis on an 86-acre parcel is consistent with this code section.

**6. FINDING**

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

**EVIDENCE**

- a) The CMMLUO allows existing cannabis cultivation to be permitted in areas zoned TPZ (HCC 314-55.4.8.2.2).
- b) The parcel was created in compliance with all applicable state and local subdivision regulations per Current Deed #2013-13486.
- c) The subject property, APN 108-012-008, is accessed off of a private access road from Wilder Ridge Road. A Road Evaluation was prepared by the applicant which included a detailed overview of internal access roads that includes depictions of 39 road points to provide context to the conditions of the road. The Road Evaluation indicates the private road is developed to the equivalent of a road category 4 standard. Conditions of approval require the applicant to obtain an encroachment permit and improve the intersection of the private access road with Wilder Ridge Road as required by the Department of Public Works.
- d) Per review of the Humboldt County WebGIS portal, the slope of the land where cannabis will be cultivated is less than 15%.
- e) Timberland conversion has taken place in several phases with the first

clearing occurring in conjunction with harvesting actions under permit NTMP 1-02-085-Hum a 22-acre Timber Harvest Plan (THP) prior to 2009 in which the existing structure on the southside and neighboring house were built. This timber clearing was not consistent with the Mitigated Negative Declaration (MND) adopted by the County on September 13, 2016, prepared for adoption of the CMMLUO. The MND assumed there would be no additional timber conversion associated with cannabis cultivation. The Agriculture and Forest Resource section of the Mitigated Negative Declaration prepared for the CMMLUO states that the impact to existing zoning for forest land, timberland, and TPZ is less than significant, because the discretionary permitting process would also enable after-the-fact review and permitting of illegal conversions through the implementation of remediation measures including restocking or the preparation of a notice of timberland conversion or less than 3-acre conversion. Thus, as a condition of approval, the applicant will provide an addendum to the Less than Three Acre Conversion Mitigation Plan prepared by a Registered Professional Forester (RPF) to specifically address the approximately 0.51 acres of timber land converted after 2016. The addendum will contain discussion of the ecological value of the converted forest land with specific discussion of the habitat value for Northern Spotted Owl (NSO). The report will include the number and species of trees removed. The restoration plan must include NSO habitat enhancement at a 3:1 ratio to the area converted which may include removal of invasive species, thinning, and restocking and shall include monitoring and reporting components. If applicable, a portion of the cultivation area may need to be restocked, which will reduce the cultivation area on site.

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

## 7. FINDING

The cultivation of 27,000 square feet of cannabis cultivation and the conditions under which it may be operated or maintained will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity.

## EVIDENCE

- a) A Road Evaluation was prepared by the applicant which included a detailed overview of internal access roads that includes depictions of 39 road points to provide context to the conditions of the road. The Road Evaluation indicates the private road is developed to the equivalent of a road category 4 standard. Conditions of approval require the applicant to obtain an encroachment permit and improve the intersection of the private access road with Wilder Ridge Road as required by the Department of Public Works.
- b) The site is in a rural part of the County where the typical parcel size is over 40 acres and many of the land holdings are very large. The proposed cannabis will not be in a location where there is an established neighborhood or other sensitive receptor such as a school, church, park or other use which may be sensitive to cannabis cultivation. Approving cultivation on this site and the other sites which have been approved or are in the application process will not change the character of the area due to the large parcel sized in the area.
- c) The location of the proposed cannabis cultivation is more than 300 feet from

the nearest off-site residence.

- d) Water for cannabis cultivation irrigation is provided by a point of diversion and a rainwater catchment system. A right to Divert and Use Water has been certified to allow for the diversion of surface water during the wet season and storage of the surface water during the forbearance period (Certificate #H100163) (Attachment 3). The proposed rainwater catchment system will utilize up to 27 greenhouse structures for a rainwater capture potential of 995,041 gallons. The applicant is required to have a minimum of 235,000 gallons of water storage to meet forbearance requirements from April 1 through October 31 based on the 274,000 gallons as described within the Operations Plan (Attachment 3). Storage including the remainder of the pond capacity (271,000 gallons) and the existing hard sided tanks totals 321,600 gallons which means the project has an additional 86,600 gallons (137%) of water storage above the minimum requirement.
- e) A Site Management Plan was prepared by the applicant, to show compliance with the State Water Resources Control Board WQ2019-0001-DWQ General Waste Discharge Requirements for Dischargers of Waste Associated with Cannabis Cultivation Activities (General Order) and addresses measures outlined in the Final LSAA. Conditions of approval require the applicant to adhere to and implement the recommendations of the SMP and submit a copy of the applicants Final LSAA.

**8. FINDING**

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

**EVIDENCE**

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



## DECISION

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

- Adopt the findings set forth in this resolution; and
- Conditionally approves the Conditional Use Permit for Soul Arc Solutions, Inc., 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 16, 2021.

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

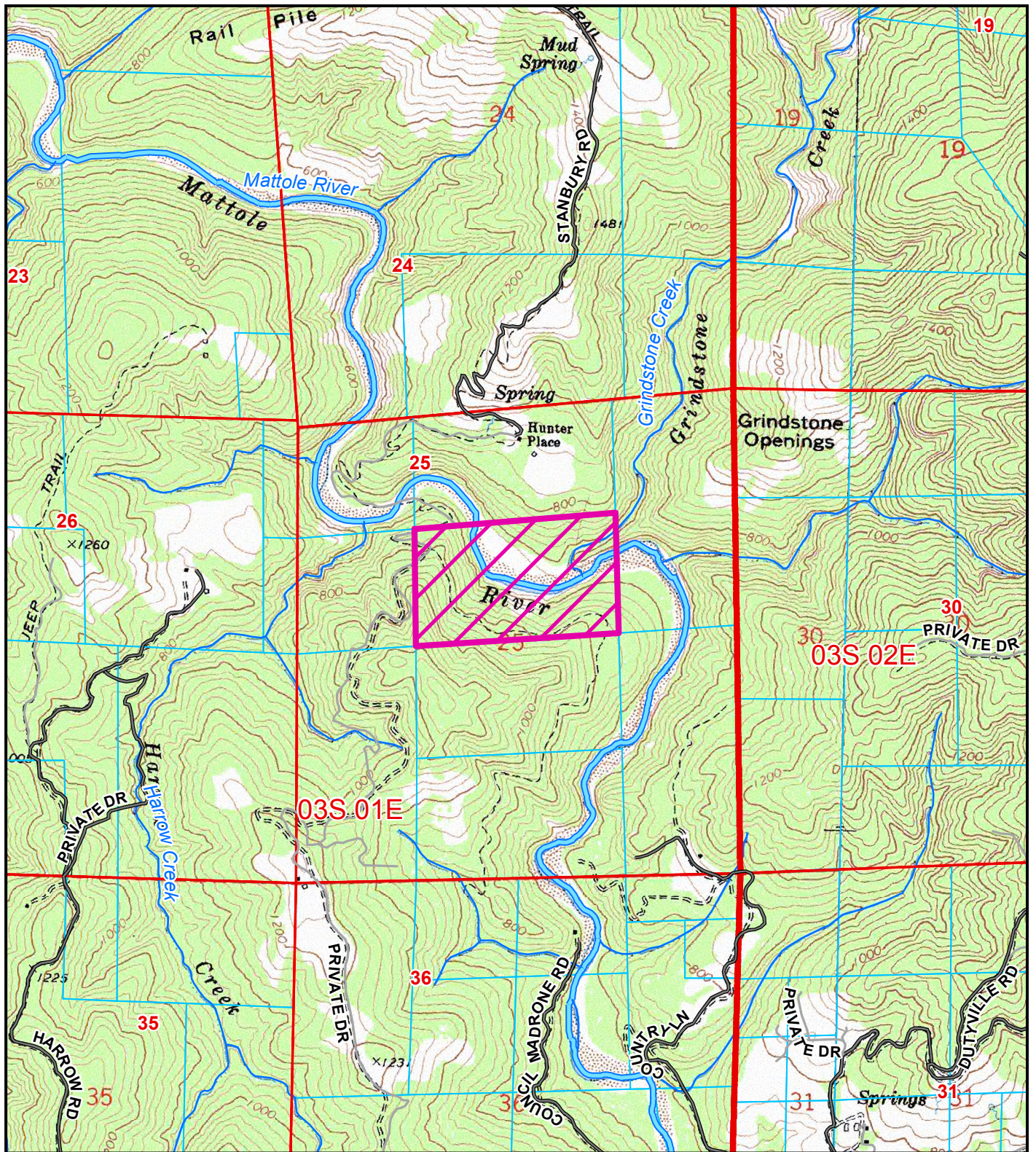
AYES:        COMMISSIONERS:  
NOES:       COMMISSIONERS:  
ABSENT:    COMMISSIONERS:  
ABSTAIN:   COMMISSIONERS:  
DECISION:

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

---

John Ford, Director  
Planning and Building Department

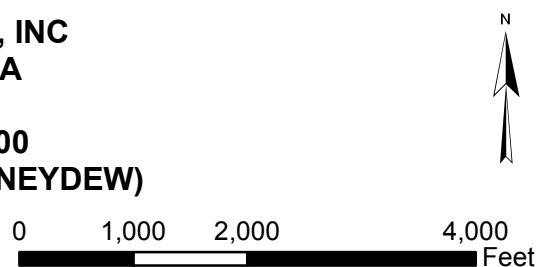




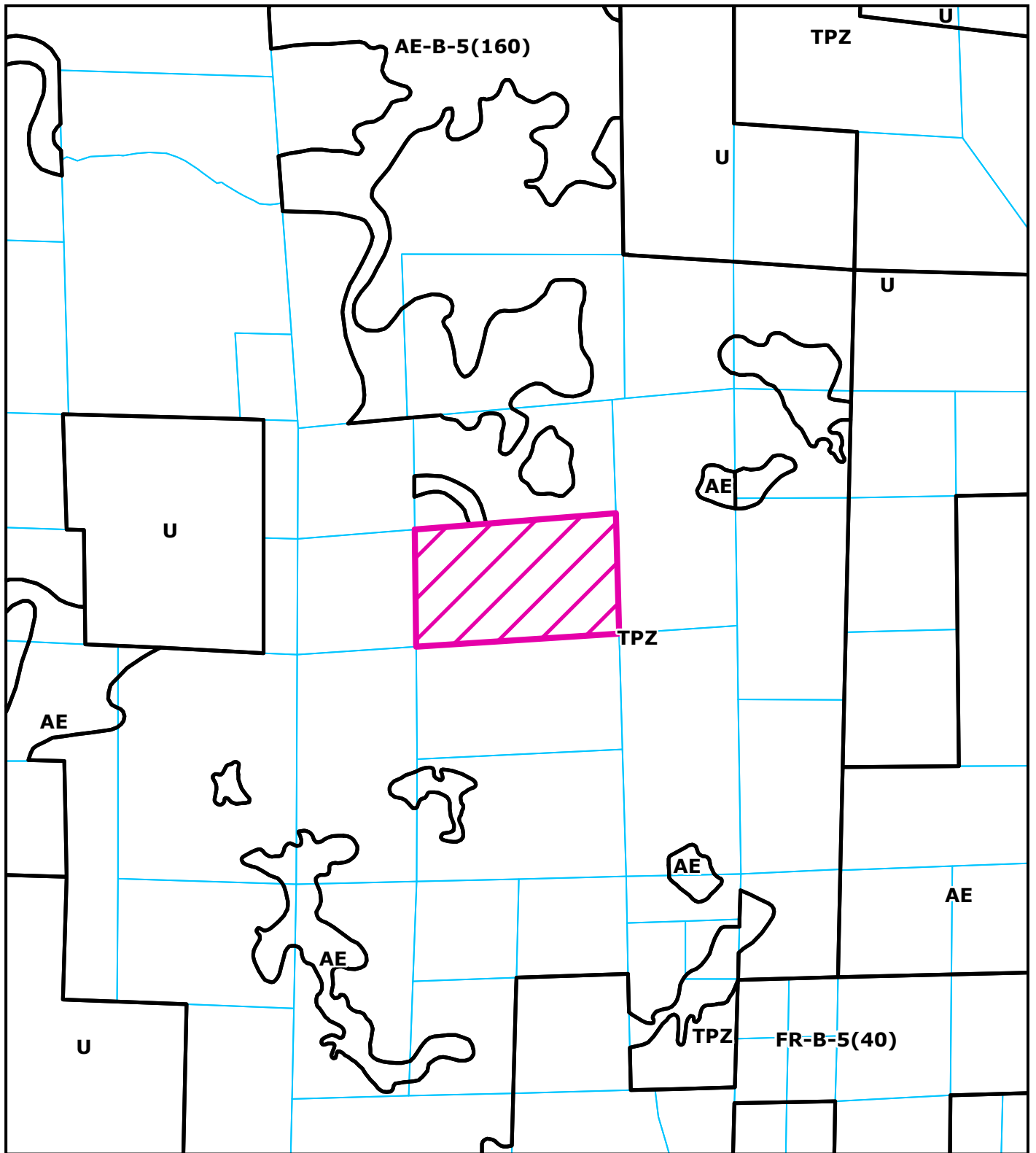
Project Area = 

**TOPO MAP**  
**PROPOSED CANIGOU, INC**  
**ETTERSBURG AREA**  
**CUP-16-533**  
**APN: 108-012-008-000**  
**T03S R01E S25 HB&M (HONEYDEW)**

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







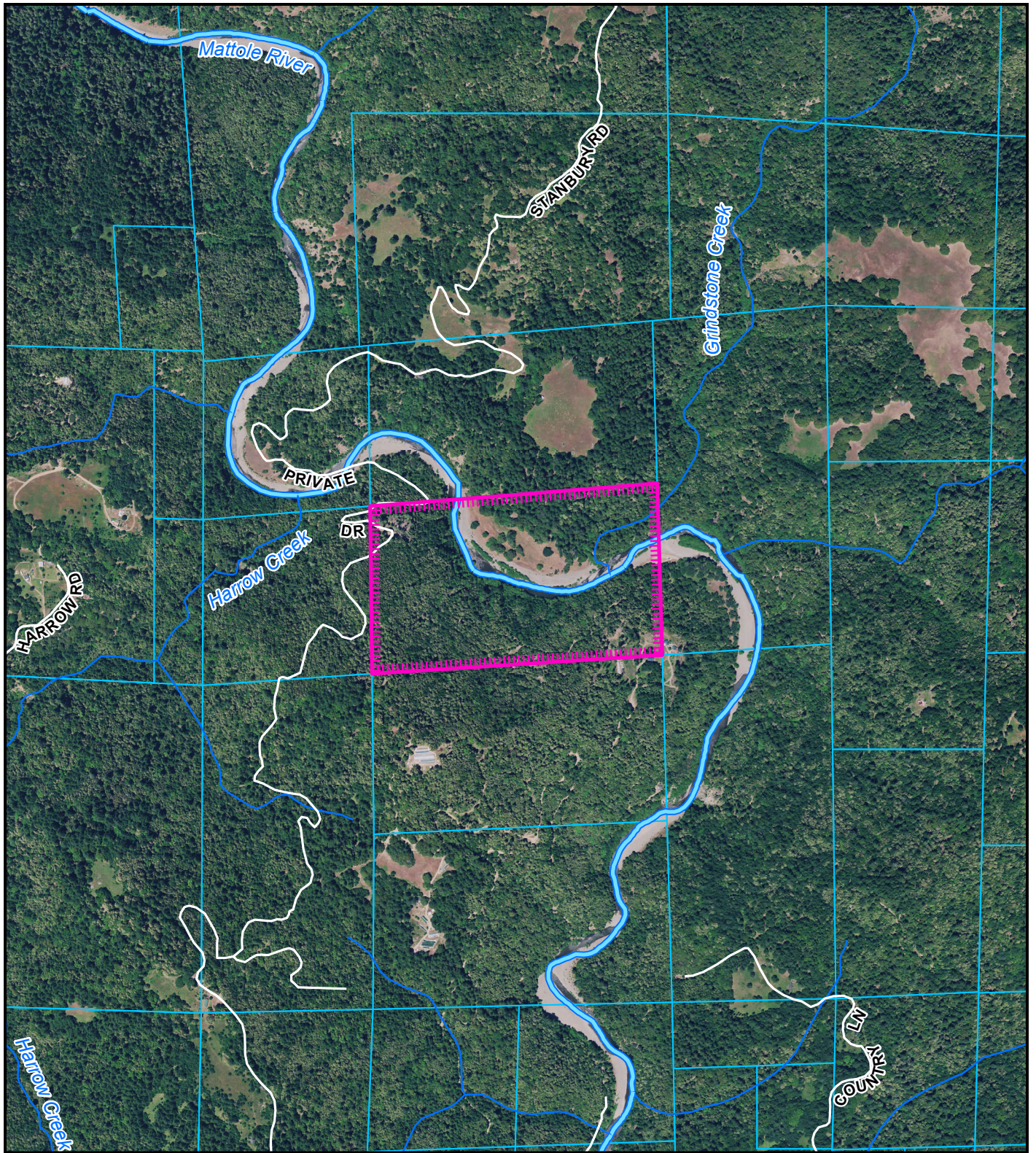
Project Area = 

**ZONING MAP  
PROPOSED CANIGOU, INC  
ETTERSBURG AREA  
CUP-16-533  
APN: 108-012-008-000  
T03S R01E S25 HB&M (HONEYDEW)**

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



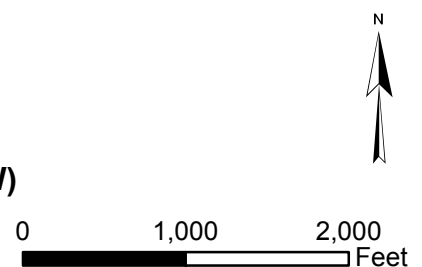




Project Area = 

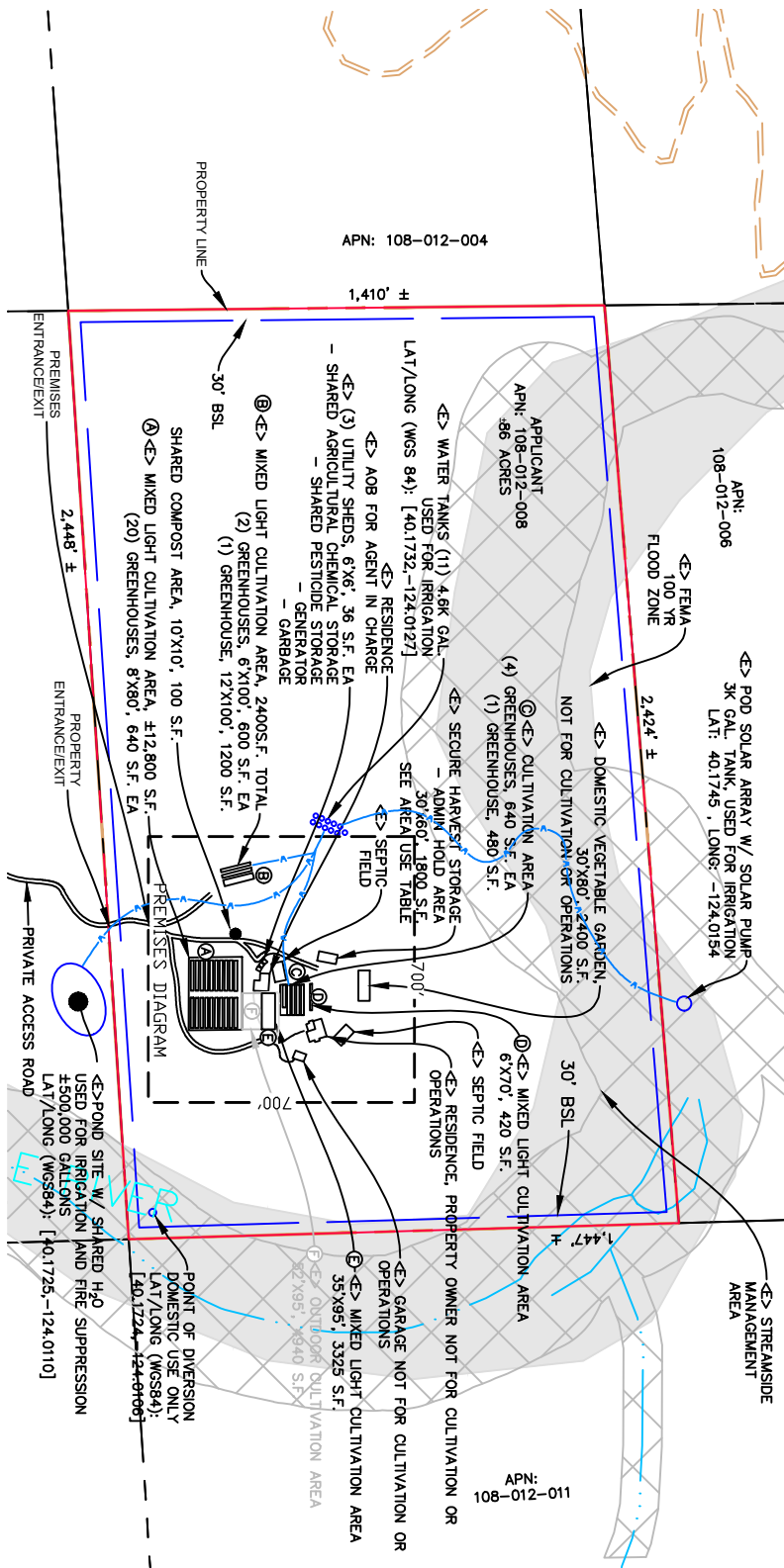
**AERIAL MAP  
PROPOSED CANIGOU, INC  
ETTERSBURG AREA  
CUP-16-533  
APN: 108-012-008-000  
T03S R01E S25 HB&M (HONEYDEW)**

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.





# PROPERTY DIAGRAM: MIXED LIGHT CULTIVATION



## PROJECT INFORMATION:

**APPLICANT:**  
SOUL ARC SOLUTIONS, INC.  
1072 CASITAS PASS RD., #127  
CARPINTERIA, CA 93013

**PROPERTY OWNER:**  
GRANDSTONE OPENINGS LP  
12035 WILDER RIDGE RD.  
GARDENVIEW, CA 95542

**OWNERS AGENT:**  
MOTHER EARTH ENGINEERING INC  
920 SAMOA BLVD., SUITE 210,  
ARCATA, CA 95521  
(707) 633-8321

**SITE ADDRESS:**  
APN: 108-012-008  
12035 WILDER RIDGE RD  
GARDENVIEW, CA 95542

**PRE-EXISTING OUTDOOR CULTIVATION AREA = 27,000 SF.**

**WATER SENER = PRIVATE**

**PARCEL SIZE = 1.66 ACRES**

**ZONING: = TPZ**

**GENERAL PLAN DESIGNATION = T (TRMK)**

## BUILDING SETBACKS:

	TPZ	SRA
FRONT	20'	30'
SIDE	30'	30'
REAR	30'	30'

**MAX. BLDG. HT. = NONE SPECIFIED**

**SRA AREA:**  
IN COASTAL ZONE:  
IN 100 YR FLOOD ZONE:  
= YES  
= NO  
= YES

## NOTE:

- PROCESSING OFF SITE.
- PACKAGING OFF SITE.
- NO ON SITE NURSERY ACTIVITIES.

## GENERAL NOTES:

- NO GRADING.
- PROPERTY LINES AND BUILDING LOCATIONS ARE APPROXIMATE.
- NO RESIDENCES ON ADJACENT PARCELS WITHIN 300 FEET.
- ALL CULTIVATION AREAS ARE SET BACK AT LEAST 30 FEET FROM PROPERTY LINES.
- NO SCHOOLS, SCHOOL BUS STOPS, PLACES OF WORSHIP, PUBLIC PARKS, TRIBAL CULTURAL RESOURCES WITHIN 600 FEET.
- AREAS OUTSIDE OF PREMISES USED FOR DOMESTIC PURPOSES AND PRESERVED AS UNDEVELOPED WILDLIFE AREAS.

## CANOPY AREA

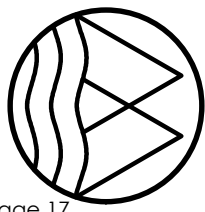
CANOPY AREA ID	LICENSE TYPE	CANOPY DIMENSIONS (FT)	CANOPY AREA (SQ FT)
A	MEDIUM MIXED LIGHT, TIER 1	(20)8 X 80	12800
B	MEDIUM MIXED LIGHT, TIER 1	(2)6X20, (1)12X100	2400
C	MEDIUM MIXED LIGHT, TIER 1	(4)8X80, (1)18X60	3040
D	MEDIUM MIXED LIGHT, TIER 1	6X70	420
E	MEDIUM MIXED LIGHT, TIER 1	35X95	3325
TOTAL AGGREGATE MIXED LIGHT CANOPY AREA			21985

## LEGEND

- 100-YEAR FLOOD PLAIN (HUMBOLDT COUNTY GIS)
- STREAMSIDE MANAGEMENT AREA (HUMBOLDT COUNTY GIS)
- WATER DISTRIBUTION SYSTEM



**PROPERTY DIAGRAM**  
SCALE: 1"=500'



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

APN: 108-012-008  
ADDRESS: 12035 WILDER RIDGE ROAD, WHITETHORN, CA 95589  
APPLICANT: SOUL ARC SOLUTIONS, INC.

SHEET NO. 1

## ATTACHMENT 1

### RECOMMENDED CONDITIONS OF APPROVAL

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

#### **A. General Conditions**

1. The applicant is responsible for obtaining all necessary County and State permits and licenses, and for meeting all requirements set forth by other regulatory agencies.
2. The applicant is required to pay for permit processing on a time and material basis as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors. The Planning and Building Department will provide a bill to the applicant after the decision. Any and all outstanding planning fees to cover the processing of the application to decision by the Hearing Officer shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka.
3. The Applicant is responsible for costs for post-approval review for determining project conformance with conditions. A deposit is collected to cover this staff review. Permit conformance with conditions must be demonstrated prior to release of building permit or initiation of use and at time of annual inspection. A conformance review deposit as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors (currently \$750) shall be paid within sixty (60) days of the effective date of the permit or upon filing of the Compliance Agreement (where applicable), whichever occurs first. Payment shall be made to the Humboldt County Planning Division, 3015 "H" Street, Eureka.
4. A Notice of Determination (NOD) will be prepared and filed with the County Clerk for this project in accordance with the State CEQA Guidelines. **Within three days of the effective date of permit approval**, it is requested that the applicant submit a check or money order for the required filing fee in the amount of \$50 payable to the Humboldt County Clerk/Recorder. If this payment is not received within this time period, the Department will file the NOD and will charge this cost to the project.
5. For the life of the project, this permit does not authorize use of fans or dehumidifiers in the hoop houses where previously full sun outdoor cultivation was reorganized. This will be inspected annually to ensure. If use of dehumidifiers or fans occurs, this permit may be subject to revocation.
6. Within 60 days of the effective date of permit approval, the applicant shall execute a Compliance Agreement with the Humboldt County Planning and Building Department detailing all necessary permits and infrastructure improvements described under Conditions of Approval #7 through #17. The agreement shall provide a timeline for completing all outstanding items. All activities detailed under the agreement must be completed to the satisfaction of the Planning and Building Department before the permit may be finalized and no longer considered provisional.
7. The applicant shall secure permits for all structures and grading related to the cannabis cultivation and other commercial cannabis activity, including but not limited to, existing and proposed greenhouses, water tanks over 5,000 gallons existing and proposed structures associated with drying and storage, graded flats, 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 improve the intersection of Wilder Ridge Road and the private access road as follows:
  - a. 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; OR
  - b. 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. The applicant shall obtain an encroachment permit from the Department of Public Works prior to commencing any work. This condition shall be completed to the satisfaction of the Department of Public Works prior to commencing operations, final sign-off for a building permit, or Public Works approval for a business license. A letter or similar communication from the Department of Public Works will satisfy this condition; AND
  - c. All driveways and private road intersection onto the County Road shall be maintained in accordance with County Code Section 34-1 (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.
9. The applicant shall implement all corrective actions detailed in the Site Management Plan developed for the parcel, prepared pursuant to enrollment under the State Water Resource Control Board (State Water Board) Cannabis Cultivation Policy (Cannabis Policy), in congruence with Order WQ 2019-0001-DWQ General Waste Discharge Requirements for Dischargers of Waste Associated with Cannabis Cultivation Activities (General Order). A letter or similar communication from the State Water Board verifying that all their requirements have been met will satisfy this condition.
10. The applicant shall submit copies of all documents filed with the State Water Resources Control Board, including, but not limited to, a Notice of Availability. The applicant is required to adhere to and implement the requirements contained in the SWRCB's Cannabis Cultivation Policy, the General Order, the Site Management Plan and the Notice of Applicability. A copy of the reporting form portion of the Mitigation and Reporting Program (MRP) shall be submitted annually to the Planning and Building Department concurrent with the submittal to the SWRCB.
11. The applicant shall provide an addendum to the less than Three Acre Conversion Mitigation Plan prepared by a registered Professional Forester (RPF) to specifically address the approximately 0.51 acres of timberland converted after 2016. The addendum shall contain discussion of the ecological value of the converted forest land with specific discussion of the habitat value for the Northern Spotted Owl (NSO). The report will include the number and species of trees removed as accurately as possible and include a restoration plan that focuses on NSO habitat enhancement with replanting at a 3:1 ratio based on the area converted which may include removal of invasive species, thinning, and/or restocking. If applicable, a portion of the cultivation area may need to be restocked, which will reduce the cultivation area on site. The Restocking Plan shall include a monitoring and reporting component to ensure success of the recommended remedial actions. The report will be submitted for approval to the Planning Department and will be evaluated in consultation with the California Department of Fish and Wildlife. A sign-off from the Planning Department will satisfy this condition.
12. Within two (2) years of the effective date of permit approval or issuance of a building permit, whichever comes first, the applicant shall install the proposed rainwater catchment infrastructure utilizing gutters on the 27 greenhouses located onsite connected to water storage in the form of hard-sided tanks and the pond located on APN 108-012-009. Should additional water storage infrastructure (e.g. tanks) be placed onsite, they shall be placed in an existing disturbed location and the applicant shall submit an updated Site Plan and Operations Plan reflecting the new project configuration shall be submitted when available and identify the locations of new water tanks.

13. The applicant shall adhere to all terms and conditions of the Right to Divert and Use Water (Certificate No. H100163) has been issued for use with the spring diversion.
14. The applicant shall adhere to and implement the Final Streambed Alteration Agreement issued by CDFW. Reporting requirements shall be submitted to the Planning Department and the California Department of Fish and Wildlife at 619 Second Street, Eureka, CA 95501, no later than December 31 of each year.
15. The applicant shall construct noise containment structures for all generators used on the parcel. The applicant shall obtain all required building permits for such structures. The applicant shall maintain generator, fan, and dehumidifier noise at or below 50 decibels at the edge of the clearing or 100 feet, whichever distance is closer. This will satisfy the auditory disturbance guidance prepared by the U.S. Fish and Wildlife (USFS), California Fish and Wildlife (CDFW) and Department Policy Statement No. 16-005 to minimize impacts to the Northern Spotted Owl and Marbled murrelet. All generators must be located on stable surfaces with a minimum 200-foot buffer from Class I and Class II streams, per the requirements of CDFW. No generator use is authorized by this permit until the applicant can demonstrate to compliance with this standard.
16. All artificial lighting including security and propagation area lighting shall comply with International Dark Sky Association standards for Lighting Zone 0 and Lighting Zone 1, and be designed to regulate light spillage onto neighboring properties resulting from backlight, up light, or glare (BUG). International Dark Sky Association standards exceed the requirements of Scenic Resources Standard SR-S4, Light and Glare, that lighting be fully shielded, and designed and installed to minimize off-site lighting and direct light within the property boundaries. Within 30 days of the effective date of this permit, the applicant shall schedule a site inspection with the Humboldt County Planning Department to demonstrate the structures and greenhouses can be comply with this standard.
17. The applicant is required to adhere to the recommendations located on pages 2 and 3 of the Botanical Survey Report prepared 8/22/2018 by Hohman and Associates including adherence to all streamside management area buffers to avoid any potential impacts to riparian habitat as well as sensitive species. A letter or similar communication from a qualified professional stating the recommendations were adhered to as recommended will satisfy this condition.
18. The applicant shall secure permits from the North Coast Unified Air Quality Management District, as applicable. A letter or similar communication from the North Coast Air Quality Management District verifying that all their requirements have been met and/or no additional permitting is required will satisfy this condition.
19. The applicant shall not use any erosion control measures that contain synthetic (e.g. plastic or nylon) monofilament netting, including photo- or biodegradable plastic netting, on a regular and on-going basis. Geotextiles, fiber rolls, and other erosion control measures shall be made of loose-weave mesh, such as jute, hemp, coconut (coir) fiber, or other products without weaves.
20. All refuse shall be contained in wildlife proof containers, at all times, and relocated to an authorized waste management facility, in compliance with State and local laws, on a regular and on-going basis.
21. The Applicant shall install and utilize a water meter to demonstrate that there is sufficient water supply to meet the demands of the project. The water use for cultivation is limited to the use of the point of diversion, rainwater catchment, the pond located on APN: 108-012-009, and amount of water available in storage tanks and shall be provided annually prior to or during the annual inspection.
22. 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.

23. 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.
24. The applicant shall execute and file with the Planning Division the statement titled, "Notice and Acknowledgment regarding Agricultural Activities in Humboldt County," ("Right to Farm" ordinance) as required by the HCC and available at the Planning Division.

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

1. The combination of background, generator and greenhouse fan or other operational equipment created noise must not result in the harassment of Northern Spotted Owl species as required to meet the performance standards for noise set by Department Policy Statement No. 16-005 clarifying CMMLUO Section 55.4.11 (o) requirements. The combined noise levels measured at 100 feet or the edge of habitat, whichever is closer, shall be at or below 50 decibels. Conformance will be evaluated using current auditory disturbance guidance prepared by the United State Fish and Wildlife Service, and further consultation where necessary. A building permit shall be obtained should any structures be necessary for noise attenuation.
2. All artificial light utilized in mixed-light greenhouses shall be limited to 6 watts per square foot with no wattage limit in the ancillary propagation greenhouse. All artificial lighting shall be fully contained within structures such that no light escapes (e.g., through blackout curtains). Structures shall be enclosed between 30 minutes prior to sunset and 30 minutes after sunrise to prevent disruption to crepuscular wildlife. Security lighting shall be motion activated and comply with the International Dark-Sky Association standards and Fixture Seal of Approval Program; see: <https://www.darksky.org/our-work/lighting/lighting-for-citizens/lighting-basics/>. Standards include but are not limited to the following, 1) light shall be shielded and downward facing, 2) shall consist of Low Pressure Sodium (LPS) light or low spectrum Light Emitting Diodes (LED) with a color temperature of 3000 kelvins or less and 3) only placed where needed.
3. Should the Humboldt County Planning Division receive complaints that the lighting or noise is not complying with the standards listed above in items B.1. and B.2., within ten (10) working days of receiving written notification that a complaint has been filed, the applicant shall submit written verification that the lights' shielding and alignment, and noise levels have been repaired, inspected, and corrected as necessary.
4. Prohibition on use of synthetic netting. To minimize the risk of wildlife entrapment, Permittee shall not use any erosion materials that contain synthetic (e.g., plastic or nylon) netting, including photo- or biodegradable plastic netting. Geotextiles, fiber rolls, and other erosion control measures shall be made of loose-weave mesh, such as jute, hemp, coconut (coir) fiber, or other products without welded weaves.
5. All refuse shall be contained in wildlife proof storage containers, at all times, and disposed of at an authorized waste management facility.
6. Should any wildlife be encountered during work activities, the wildlife shall not be disturbed and be allowed to leave the work site unharmed.
7. The use of anticoagulant rodenticide is prohibited.

8. The operator shall provide information to all employees about the potential health impacts of cannabis use on children. Information shall be provided by posting the brochures from the Department of Health and Human Services titled "Cannabis Palm Card" and "Cannabis Rack Card." This information shall also be provided to all employees as part of the employee orientation.
9. All components of project shall be developed, operated, and maintained in conformance with the Project Description, the approved Site Plan, the Plan of Operations, and these conditions of approval. Changes shall require modification of this permit except where consistent with Humboldt County Code Section 312-11.1, Minor Deviations to Approved Plot Plan. If offsite processing is chosen to be the preferred method of processing, this permit shall be modified to identify the offsite licensed facility.
10. Cannabis cultivation and other commercial cannabis activity shall be conducted in compliance with all laws and regulations as set forth in the CMMLUO and MAUCRSA, as applicable to the permit type.
11. If operating pursuant to a written approved compliance agreement, permittee shall abate or cure violations at the earliest feasible date, but in no event no more than two (2) years from the date of issuance of a provisional clearance or permit. Permittee shall provide plans for curing such violations to the Planning and Building Department within one (1) year of issuance of the provisional clearance or permit. If good faith effort toward compliance can be shown within the two years following the issuance of the provisional clearance or permit, the Department may, at the discretion of the Director, provide for extensions of the provisional permit to allow additional time to meet the outstanding requirements.
12. Possession of a current, valid required license, or licenses, issued by any agency of the State of California in accordance with the MAUCRSA, and regulations promulgated thereunder, as soon as such licenses become available.
13. Compliance with all statutes, regulations, and requirements of the California State Water Resources Control Board and the Division of Water Rights, at a minimum to include a statement of diversion of surface water from a stream, river, underground stream, or other watercourse required by Water Code Section 5101, or other applicable permit, license, or registration, as applicable.
14. Confinement of the area of cannabis cultivation, processing, manufacture, or distribution to the locations depicted on the approved site plan. The commercial cannabis activity shall be set back at least 30 feet from any property line, and 600 feet from any school, school bus stop, church or other place of religious worship, or tribal cultural resources, except where a reduction to this setback has been approved pursuant to Section 55.4.11(d).
15. Maintain enrollment in Tier 1, 2, or 3, certification with North Coast Regional Water Quality Control Board (RWQCB) Order No. R1-2015-0023, if applicable, or any substantially equivalent rule that may be subsequently adopted by the County of Humboldt or other responsible agency.
16. Comply with the terms of any applicable Lake and Stream Alteration (1600 or 1602) Permit obtained from the California Department of Fish and Wildlife (CDFW).
17. Comply with the terms of a less-than-3-acre conversion exemption or timberland conversion permit, approved by the California Department of Forestry and Fire Protection (Cal Fire), if applicable.
18. Consent to an annual on-site compliance inspection, with at least 24 hours prior notice, to be conducted by appropriate County officials during regular business hours (Monday through Friday, 9:00 a.m. to 5:00 p.m., excluding holidays).
19. Show continual use of portable bathroom facilities prior to the annual inspection of the permit.

20. Refrain from the improper storage or use of any fuels, fertilizer, pesticide, fungicide, rodenticide, or herbicide.
21. Pay all applicable application, review for conformance with conditions and annual inspection fees.
22. 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.
23. The master log books maintained by the applicant to track production and sales shall be maintained for inspection by the County.
24. Pay all applicable taxes as required by the Humboldt County Commercial Marijuana Cultivation Tax Ordinance (Humboldt County Code Section 719-1 et seq.).

#### Performance Standards for Cultivation and Processing Operations

25. Pursuant to the MCRSA, Health and Safety Code Section 19322(a)(9), an applicant seeking a cultivation license shall "provide a statement declaring the applicant is an 'agricultural employer,' as defined in the Alatorre-Zenovich-Dunlap-Berman Agricultural Labor Relations Act of 1975 (Part 3.5 commencing with Section 1140) of Division 2 of the Labor Code), to the extent not prohibited by law."
26. 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).
27. 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.
28. 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.

29. 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

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

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

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

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

33. Transfers. Transfer of any leases or permits approved by this project is subject to the review and approval of the Planning Director for conformance with CMMLUO eligibility requirements and agreement to permit terms and acknowledgments. The fee for required permit transfer review shall accompany the request. The request shall include the following information:

- a. Identifying information for the new owner(s) and management as required in an initial permit application;
- b. A written acknowledgment by the new owner in accordance as required for the initial permit application;
- c. The specific date on which the transfer is to occur;
- d. Acknowledgement of full responsibility for complying with the existing permit; and
- e. Execution of an Affidavit of Non-diversion of Medical Cannabis.

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 CMMLUO, if upon inspection for the initial application, violations of any building or other health, safety, or other state or county statute, ordinance, or regulation are discovered, the Planning and Building Department may issue a provisional clearance or permit with a written approved Compliance Agreement. By signing the agreement, the permittee agrees to abate or cure the violations at the earliest opportunity but in no event more than two (2) years after the date of issuance of the provisional clearance or permit. Plans for curing the violations shall be submitted to the Planning and Building Department by the permittee within one (1) year of the issuance of the provisional certificate or permit. The terms of the compliance agreement may be appealed pursuant to Section 314-55.4.13 of the CMMLUO.
2. This provisional permit approval shall expire and become null and void at the expiration of one (1) year after all appeal periods have lapsed (see "Effective Date"), except where the Compliance Agreement per Condition of Approval #6 has been executed and the corrective actions pursuant to the agreement are being undertaken. Once building permits have been secured and/or the use initiated pursuant to the terms of the agreement, the use is subject to the Permit Duration and Renewal provisions set forth in Conditions of Approval #32 and 33 of the Ongoing Requirements/Development Restrictions, above.
3. If cultural resources are encountered during construction activities, the contractor on-site shall cease all work in the immediate area and within a 50-foot buffer of the discovery location. A qualified archaeologist and the appropriate Tribal Historic Preservation Officer(s) are to be contacted to evaluate the discovery and, in consultation with the applicant and the lead agency, develop a treatment plan in any instance where significant impacts cannot be avoided.

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

**ATTACHMENT 2**

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

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

**APN 108-012-008; Approximately 1.5 miles north from the intersection of Alderpoint Road and Dyerville  
Loop Road, on the property known to be in Section 35, Township 03 South, Range 04 East, Alderpoint  
County of Humboldt**

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

**August 2021**

## Background

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

The modified project involves a Conditional Use Permit (PLN-12085-CUP) for 27,000 square feet of existing outdoor cannabis cultivation. Water for irrigation is sourced from a diversion of the Mattole River, and rainwater catchment, as well as a pond on an adjacent parcel (APN 108-012-009). Water is stored in 11 hard tanks (50,600 gallons), and a pond on the adjacent parcel (APN 108-012-009) (approximately 400,000 gallons) for a total of 450,600 gallons. Drying and curing would be completed on-site in a proposed 2,400-square-foot facility, with other processing (trimming) occurring off-site at a licensed facility. A maximum of four people would be on-site during peak operations. Electricity is sourced from generator power with solar power proposed. The modified project also involves a Special Permit for continued use of a Point of Diversion from Grindstone Creek.

Cultivation relocation is proposed to be relocated onsite and reorganized into hoop house structures to utilize light deprivation techniques, with a remainder of 4,940 SF that will utilize full sun cultivation techniques. The reorganization includes remediation of past outdoor cultivation areas scattered onsite that required full clean up and removal of cultivation related materials from the pre-existing cultivation sites. Additionally, any reseedling or re-foresting of the historic cultivation sites as required under the restoration plan (required under conditions of approval) as recommended by a Registered Professional Forester and as described later in this summary. The onsite relocation area is located on a central location with less than 15% slopes. The light deprivation hoop houses are expected to yield two (2) harvests per year. Because historic cultivation was mainly full sun outdoor, this permit does not authorize the use of fans or dehumidifiers in the greenhouses that contain the reorganized cultivation areas.

Grindstone Creek a tributary to the Mattole River and the Mattole River are located on the property. A Site Management Plan (SMP) was prepared by the applicant (Attachment 3) that includes a list of recommended best practices for erosion control, monitoring irrigation volumes to prevent runoff, and utilizing appropriate facilities for the storage of cultivation related materials consistent with the State Water Resources Control Board (SWRCB) and North Coast Regional Water Quality Control Board (NCRWQB). The applicant is enrolled in the NCRWQB and has provided documentation showing adherence to the cannabis general order WQ2019-0001-DWQ General Waste Discharge Requirements for Dischargers of Waste Associated with Cannabis Cultivation Activities (General Order) under SWRCB Cannabis Cultivation Policy (WDID \_12CC402929 Effective as of 05/22/2019). The applicant submitted a Notification of Lake or Streambed Alteration Agreement on 04/24/17 with the California Department of Fish and Wildlife (CDFW) for the existing point of diversion located onsite within the Mattole River for domestic and irrigation uses onsite (Attachment 3).

A review of the Biological Information and Observation System (BIOS) through the CDFW which includes layers depicting biological resources identified by the California Natural Diversity Database (CNDDB) depicts no endangered or protected species onsite as of 8/04/2021. A Northern Spotted Owl (NSO)

activity center was depicted as 0.68 miles from the nearest cultivation area onsite and the nearest positive sighting was 0.22 miles away. All light used in the nursery greenhouses will be covered with an opaque black-out tarp so that no light escapes during the night. The project will follow all applicable rules of Dark Sky Standards. The project is conditioned such that generators shall have secondary containment for fluid catchment and noise attenuation, and noise generated from generators shall not exceed 50 decibels (dB) at 100 feet from the generator or at the edge of the nearest forest habitat, whichever is closer, as required by Section 314-55.4.11(o) Humboldt County Code. Additionally, any grading and earthwork activities will be conducted by a licensed contractor in accordance with approved grading permits.

The modified project is consistent with the adopted MND for the CMMLUO because it complies with all standards of the CMMLUO which were intended to mitigate impacts of existing cultivation. These include relocating cultivation to an environmentally superior location, restoration of 0.51 acres of converted timberland, water conservation techniques to avoid excess evaporation, and site drainage, erosion, and runoff control measures implemented in accordance with the Site Management Plan for the site to protect water quality. Additionally, all development currently meets appropriate Streamside Management Area (SMA) setbacks preserving them as wildlife corridors. No timber conversion has occurred beyond the 3-acre conversion exemption.

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

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

### **Summary of Significant Project Effects and Mitigation Recommended**

No changes are proposed for the original MND recommended mitigations. The proposal to authorize the continued operation of an existing cannabis cultivation site consisting of 30,000 square feet of cultivation with ancillary drying activities is fully consistent with the impacts identified and adequately mitigated in the original MND. The project as conditioned to implement responsible agency recommendations, results in no significantly adverse environmental effects beyond those identified in the MND. Compliance with the CMMLUO ensures consistency with the adopted MND and provides for



mitigation of all project related impacts to a less than significant level.

In reviewing the application for consistency with the adopted MND, the County considered the following information and studies, among other documents (see Attachment 3 for a complete listing):

- Modified Site Plan prepared by Mother Earth Engineering; Inc. received 5/25/2018;
- *Cultivation and Operations Plan*, prepared by Manhard Consulting LTD. received 05/25/2018;
- Right to Divert and Use Water, Certificate H100163, issued by the State Water Resources Control Board, Division of Water Rights, dated 10/19/2017;
- *Site Management Plan*, prepared by Applicant, dated 5/22/2019;
- *Nitrogen management Plan*, prepared 10/17/2019;
- *Botanical Survey Report*, prepared by Hohman & Associates dated 8/22/2018;
- *Less than Three Acre Conversion Evaluation* prepared by Mad River Properties, Inc., received 5/25/2018;
- Road Evaluation for private onsite road network dated 10/23/2017 including road point condition descriptions prepared by Applicant, dated 11/04/2020;
- Notification of Streambed Alteration Agreement with California Department of Fish and Wildlife received 6/27/2017; and
- *Restocking, Restoration and Monitoring Plan for APN 108-012-009* prepared by Hohman and Associates dated March 5, 2021.

### **Other CEQA Considerations**

Staff suggests no changes for the revised project.

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

See **Purpose** statement above.

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

### **FINDINGS**

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

### **CONCLUSION**

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

### ATTACHMENT 3

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

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

1. The name, contact address, and phone number(s) of the applicant. (Application Transfer form on file)
2. If the applicant is not the record title owner of parcel, written consent of the owner for the application with original signature and notary acknowledgement. (On file)
3. Site plan showing the entire parcel, including easements, streams, springs, ponds and other surface water features, and the location and area for cultivation on the parcel with dimensions of the area for cultivation and setbacks from property lines. The site plan shall also include all areas of ground disturbance or surface water disturbance associated with cultivation activities, including access roads, water diversions, culverts, ponds, dams, graded flats, and other related features. If the area for cultivation is within one-quarter mile (1,320 feet) of a school, school bus stop, church or other place of religious worship, public park, or tribal cultural resource, the site plan shall include dimensions showing that the distance from the location of such features to the nearest point of the cultivation area is at least 600 feet. **(Attached)**
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. **(Attached)**
5. Copy of the statement of water diversion, or other permit, license or registration filed with the State Water Resources Control Board, Division of Water Rights, if applicable. (Attached - Right to Use; On file - Initial Statement of Water Diversion and Use)
6. Description of water source, storage, irrigation plan, and projected water usage. (Included in Cultivation Operations Plan (item 4. above).
7. Copy of Notice of Intent and Monitoring Self-Certification and other documents filed with the North Coast Regional Water Quality Control Board demonstrating enrollment in Tier 1, 2 or 3, North Coast Regional Water Quality Control Board Order No. 2015-0023, or any substantially equivalent rule that may be subsequently adopted by the County of Humboldt or other responsible agency. **(Attached – Site Management Plan**, prepared by Applicant, dated 5/22/2019. Condition of Approval – Submit Notice of Applicability and maintain enrollment in State Cannabis Cultivation Program for the life of the project).
8. If any on-site or off-site component of the cultivation facility, including access roads, water supply, grading or terracing, impacts the bed or bank of any stream or other watercourse, a copy of the Streambed Alteration Permit obtained from the California Department of Fish and Wildlife. (On file – Notification of Lake or Streambed Alteration dated 6/27/2017; Condition of Approval – Provide copy of Final Streambed Alteration Agreement and comply with recommendations)
9. If the source of water is a well, a copy of the County well permit, if available. (Not applicable)

10. If the parcel is zoned FR, U or TPZ, or involves the conversion of timberland as defined under Section 4526 of the Public Resources Code, a copy of a less-than-3-acre conversion exemption or timberland conversion permit, approved by the California Department of Forestry and Fire Protection (Cal Fire). Alternately, for existing operations occupying sites created through prior unauthorized conversion of timberland, evidence may be provided showing that the landowner has completed a civil or criminal process and/or entered into a negotiated settlement with Cal Fire. **(Attached** Less Than Three Acre Conversion Mitigation Plan prepared by Mad River Properties, Inc., received May 25, 2018, which includes a Timber Harvest Plan prepared by Richard French dated March 12, 2002.)
11. Consent for on-site inspection of the parcel by County officials at prearranged date and time in consultation with the applicant prior to issuance of any clearance or permit, and once annually thereafter. (On file)
12. For indoor cultivation facilities, identify the source of electrical power and how it will meet with the energy requirements in Section 55.4.8.2.3, and plan for compliance with applicable building codes. (Not applicable)
13. Acknowledge that the County reserves the right to reduce the size of the area allowed for cultivation under any clearance or permit issued in accordance with this Section in the event that environmental conditions, such as a sustained drought or low flows in the watershed, will not support diversions for irrigation. (On file)
14. Acknowledge that the County reserves the right to engage with local tribes before consenting to the issuance of any clearance or permit, if cultivation operations occur within an Area of Traditional Tribal Cultural Affiliation, as defined herein. This process will follow current departmental referral protocol, including engagement with the tribe(s) through coordination with their Tribal Historic Preservation Officer (THPO) or other tribal representatives. This procedure shall be conducted similar to the protocols outlined under SB 18 (Burton) and AB 52 (Gatto), which describe "government to government" consultation, through tribal and local government officials and their designees. During this process, the tribe may request that operations associated with the clearance or permit be designed to avoid, minimize, or mitigate impacts to tribal cultural resources, as defined herein. Examples include, but are not limited to, conducting a site visit with the THPO or their designee to the existing or proposed cultivation site, requiring that a professional cultural resources survey be performed, or requiring that a tribal cultural monitor be retained during project-related ground disturbance within areas of sensitivity or concern. The County shall request that a records search be performed through the California Historical Resources Information System (CHRIS). (On file and confidential).
15. Road Evaluation Report prepared by Applicant dated May 18, 2018. **(Attached)**
16. Road Point Condition descriptions prepared by Applicant, dated November 4, 2020. **(Attached)**
17. *Botanical Survey Report*, prepared by Hohman and Associates, dated August 22, 2018. **(Attached)**
18. *Restocking, Restoration and Monitoring Plan for APN 108-012-009* prepared by Hohman and Associates dated March 5, 2021. **(Attached)**
19. *Nitrogen Management Plan* dated 10/17/2019. **(Attached)**

CANIGOU, INC  
CULTIVATION AND OPERATIONS MANUAL  
HUMBOLDT COUNTY, CA

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PROPOSED MEDICAL CANNABIS  
CULTIVATION FACILITIES



PREPARED FOR:



JUNE 2017  
Revised MAY 2018

**Cultivation and Operations Manual  
For  
Canigou**

**Proposed Medical Cannabis Cultivation Facilities**

Lead Agency:

***Humboldt County Planning Department***

3015 H Street  
Eureka, CA 95501

Prepared By:

***Manhard Consulting***

517 3rd Street, Suite 6  
Eureka, California 95501

In Consultation with:

***Canigou, Inc***

PO BOX 38  
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June 2017

Revised May 2018

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**1. PROJECT SUMMARY**

**1.1. PROJECT NARRATIVE**

Canigou, Inc (Canigou) is proposing to permit existing medical cannabis cultivation activities in accordance with the County of Humboldt's (County) Commercial Medical Marijuana Land Use Ordinance (CMMLUO). Canigou is applying for existing medical cannabis cultivation facilities, located on Assessor Parcel Number (APN) 108-012-008. The CMMLUO application consists of one (1) Conditional Use Permit (CUP16-533) for existing outdoor medical cannabis cultivation of 27,000 Square Feet (SF). The project includes the permitting of existing and proposed facilities appurtenant to the cultivation including greenhouses and supporting infrastructures.

The subject property is located outside of the Coastal Zone, and has a County General Plan designation of Timber Production (T-FRWK), and is zoned Timber Production Zone (TPZ). The surrounding parcels are zoned Agricultural Exclusive (AE), and Timber Production Zone (TPZ). According to the County WebGIS parcel APN 108-012-008 is 86 Acres in size. The Project is located at 12035 Wilder Ridge Road, approximately 1.7 miles north of the Ettersburg area.

**1.2 STATE AND LOCAL COMPLIANCE**

**1.2.1. STATE OF CALIFORNIA COMMERCIAL CANNABIS ACTIVITY LICENSE**

Canigou has obtain a temporary Commercial Cannabis Activity license from the State of California on January 2018.

**1.2.2. STATE WATER RESOURCES CONTROL BOARD**

The primary water source on the property will be a rainwater catchment pond and the Mattole River. Canigou has filed an Initial Statement for a riparian right with the Division of Water Rights for seasonal diversion to storage from the unnamed spring. Canigou has a pending Small Irrigation Use Appropriation with the SWRCB to seasonally divert 1.0-acre foot of water for storage from the Mattole River. Canigou proposes to divert to a series of water storage tanks during the winter rainy season of November 15 to March 31.

**1.2.3. NORTH COAST REGIONAL WATER QUALITY CONTROL BOARD**

Canigou is enrolled with the North Coast Regional Water Quality Control Board (NCRWQCB) Order No. 2015-0023 as a Tier 2 Cultivation site with every effort being made to move into the NCRWQCB Tier 2\* category in subsequent years.

**1.2.4. HUMBOLDT COUNTY BUILDING DEPARTMENT**

Building permits will be obtained from the County Building Department for all structures and supporting infrastructure (including septic systems), and grading activity upon approval of Conditional Use Permits (CUP).

**1.2.5. CAL FIRE**

The subject property is developed with a residence and cultivation operations in open spaces. The subject property is located within a State Responsibility Area (SRA) for fire protection. All structures on the property meet the 30-foot SRA setback requirement from property lines. All structures will meet SRA building and site requirements. This includes a fire turn-around, pull-out area for



emergency vehicles, and additional water storage for fire suppression. Vegetation will also be managed around existing structures to maintain the required defensible space. No trees are proposed to be removed for this operation.

#### 1.2.6. CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE

A Lake and Streambed Alteration Agreement (LSAA) has been filed with the Department of Fish and Wildlife (DFW) for the diversion of surface water from Mattole River to storage facilities onsite. Canigou will not divert water from the Mattole River during the forbearance period. The cultivation operation will rely on proposed storage infrastructure.

#### 1.2.7. AUTHORIZATION FOR COUNTY OF HUMBOLDT STAFF

Per the County's *Commercial Medical Marijuana Land Use Ordinance No. 2544* (CMMLUO) §314-55.4, the *Canigou Operations Manual* contains the required information for operating medical marijuana cultivation facilities within the limits of the County. The operations detailed in the manual follow the operating standards described in CMMLUO §§314-55.4.10 and 314-55.4.11.

Canigou is committed to maintaining all necessary permits. Canigou staff is required to adhere to the *Canigou Cultivation and Operations Manual* to ensure compliance with state and local regulations (see Attachment A – *Personnel Acknowledgments Form*). Through this application, the applicant authorizes the County, its agents and employees, to seek verification of the information contained with this application, including verification of the operations as described in the *Canigou Cultivation and Operations Manual*.

Canigou consents for onsite inspection of the parcel by County officials at a prearranged date and time in consultation with the applicant prior to issuance of any permit and once annually thereafter. Canigou acknowledges that the County reserves the right to reduce the size of the area allowed for cultivation in the event that environmental conditions, such as sustained drought or low flows in the watershed, will not support diversions for irrigation. Canigou also acknowledges that the County reserves the right to engage with local Tribes before consenting to issuance of any permit.

## 2. OPERATIONS PLANS

### 2.1. WATER SUPPLY, STORAGE, AND WATER USE

Canigou is proposing the use of the primary water sources on the property, the Mattole River and rainwater catchment, to meet cannabis irrigation demands. Canigou has filed an Initial Statement of Water Rights under the Riparian Rights claim with Division of Water Rights for seasonal diversion to storage from the Mattole River. Canigou has a pending Small Irrigation Use Appropriation with the State Water Resource Control Board to seasonally divert 1.0-acre foot of water for storage from the Mattole River. Canigou proposes to divert to a series of water storage tanks during the winter rainy season of November 15 to March 31.

Canigou has drafted a Notification of Lake or Streambed Alteration with DFW to include the POD, a 1,000,000-gallon pond on adjacent parcel, and a total of 50,600 gallons of hard storage in tanks in (11) 4,600 gallon water tanks, which shall not be located in a floodplain or annexed to equipment that generates heat. All tanks shall be located in areas where such tanks are easy to install, access, and maintain.

The table below outlines the estimated irrigation water usage for cultivation during a typical year. Variables such as weather conditions and specific cannabis strains will have a slight effect on water use. Water meters were installed in 2018 and weekly water use records are kept by the Lead Cultivator.

Table 3.1: Estimated Annual Irrigation Water Usage (Gallons)											
Jan	Feb	Mar	April	May	June	July	Aug	Sept	Oct	Nov	Dec
3000	3000	15,000	25,000	35,000	40,000	40,000	40,000	30,000	25,000	15,000	3000

The table below outlines the estimated domestic water usage during a typical year. Variables such as weather conditions and family and social activity will have slight effect on water use.

Table 3.1: Estimated Annual Domestic Water Usage (Gallons)											
Jan	Feb	Mar	April	May	June	July	Aug	Sept	Oct	Nov	Dec
1,000	1,000	1,000	1,000	2,000	2,000	3,000	3,000	3,000	1,000	1,000	1,000

## 2.2. SITE DRAINAGE, RUNOFF, AND EROSION CONTROL

Water shall be applied at agronomic rates to prevent overwatering plants and avoid or minimize runoff. All water diversion shall be documented using a water meter. Water conservation measure such as drip irrigation, and mulching shall be employed as part of an Applications Irrigation Program. During periods of low flow, the size and scale of the operations shall be assessed to take into consideration available water sources and other water use and users in the watershed.

## 2.3. WATERSHED AND HABITAT PROTECTION

Adherence to the Water Resource Protection Plan (WRPP) ensures that the watershed and surrounding habitat are protected. Additionally, site development and maintenance activities utilize Best Management Practices (BMPs) in accordance with the NCRWQCB's recommendations. Any grading and earthwork activities will be conducted by a licensed contractor in accordance with approved grading plans and permits and the WRPP.

## 2.4. USE AND STORAGE OF REGULATED PRODUCTS

The State of California Agricultural Department as well as the County Agricultural Department recognize the need for use of pesticides and fungicides. Canigou will employ BMPs when storing, handling, mixing, application and disposal of all fertilizers, pesticides and fungicides. All nutrients, pesticides and fungicides are located in a locked storage room, and contained within water tight, locked and labeled containers in accordance with manufacturers' instructions. Application rates will be tracked and reported with the end of the year monitoring report required in the Water Resources Protection Plan (WRPP). Employees responsible for application are trained to handle, mix, apply or dispose of pesticides/fungicides with proper hand, eye body and respiratory protection in accordance with the manufacturers' recommendations and as prescribed in the State of California Agricultural Department Pesticide Applicators License handbook (see Appendix D - *Pesticide Storage, Handling and Application Plan* and *Water Resources Protection Plan* for detailed descriptions of practices).

Pesticides used include Dyna-Gro neem oil and Hi-Yield Dusting Wettable Sulphur. Pesticides will be

stored in sealed, locked and labeled 5 gallon buckets.

Nutrients used include MaxSea All Purpose, Maxsea Bloom, Botanicare CalMag, Primordial Solutions SeaGreen, Primordial Solutions TrueBlooms, Sparetime Supply Molasses, and Sparetime Supply Soluble Seaweed Powder. All liquid nutrients are stored in 5 gallon buckets. All dry nutrients are stored in 50 pound bags and 50 gallon drums. Approximately 1000 pounds of MaxSea products are used in a year. Approximately 40 gallons each of Primordial Solutions, Botanicare CalMag, Sparetime Supply Molasses, and Maxicrop Soluble Seaweed Powder are used.

Diesel fuel for on-site power generators and heating will be stored in approved tanks with secondary containment. A total of two 50 gallons of diesel fuel will be stored in a 100 gallon tanks on the adjacent parcel.

Propane fuel is used from 5 and 10 gallon tanks which will be properly stored according to County regulations. Propane is used for cooking and personal employee heaters at various locations on the operation.

Bleach and rubbing alcohol (approximately 2 gallons of each) are stored within the shed.

A copy of the Operations Plan will be kept on site by the *Agent in Charge* and will contain all Material Safety Data Sheets (MSDS) for all regulated products used on site.

## **2.5. WASTE MANAGEMENT PLAN**

### **2.5.1. SOLID WASTE MANAGEMENT**

All waste and recycling on site will be collected in contained trash containers. An 8' x 8' trash enclosure with 6 covered waste and recycling bins is proposed to be located near the processing building on this site.

A trailer with side walls and cover will be utilized for transportation of waste. Waste is removed from the property every week and is transported to Redway Waste Authority transfer station and/or Eel River Disposal.

Spent soil will be stockpiled and in a depressed stockpile area to prevent erosion and will be amended and re-used the following season.

### **2.5.2. WASTEWATER MANAGEMENT**

Canigou proposes to permit existing on-site septic system. If septic system is deemed unsuitable for operational needs, Canigou proposes to permit and to install an on-site septic system adjacent to the drying facility. Canigou will utilize portable toilets during the interim period as needed for seasonal labor. The portable toilets will be serviced once every two weeks.

Restroom access will be available for all employees of the operation. The portable toilets will be located within 5 minutes of worksite or ¼ mile of worksite.

Canigou employees will also have access to proposed restrooms at the processing building located on the adjacent southern parcel. The septic system for the processing building in this location has been designed to accommodate a peak count of 6 employees who operate cultivation activities on

all three parcels. The proposed primary treatment leach field consists of two 40-foot trenches. The reserve treatment has been designed as an infiltrator system with two 60-foot trenches.

## 2.6. EMPLOYMENT PLAN

### 2.6.1. ALATORRE-ZENOVICH-DUNLAP-BERMAN AGRICULTURAL LABOR RELATIONS ACT STATEMENT

Canigou 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.

### 2.6.2. CALIFORNIA AGRICULTURAL EMPLOYER COMPLIANCE

Canigou will comply with all applicable federal, state and local laws and regulations governing California Agricultural Employers.

### 2.6.3. JOB DESCRIPTIONS AND EMPLOYEE SUMMARY

- *Agent in Charge*: Oversight and management of the entire facility. Responsibilities will include but not be limited to: personnel, records keeping, budget, and liaison with State and County inspectors as needed.
- *Lead Cultivator*: Oversight and management of the day to day cultivation of medical cannabis. This will include but not be limited to: irrigation, fertilization, pesticide management and harvest.
- *Assistant Cultivator*: The person will support the responsibilities of the Lead Cultivator. Mainly, the *Assistant Cultivator* will assist the *Lead Cultivator* in his/her day to day duties as well as take the Lead Role during times when the *Lead Cultivator* may be off site. During harvests, the *Assistant Cultivator* duties will switch to oversight and management of drying and curing the medical cannabis.
- *Seasonal Labor*: This position is temporary and employee count will vary based on the needs of the farm during the cultivation and harvest seasons.
- *Processing Manager*: Oversight and management of processing facility. Responsibilities include labeling, tracking and training processing employees.

The *Agent in Charge* is a principal for Canigou. In addition to the *Agent in Charge* and *Lead Cultivator*, Canigou intends to employ two (2) full time *Assistant Cultivators*, and up to two (2) seasonal labor positions for an estimated total of approximately four (4) employees maximum at the Project site at any given time. A peak of 6 employees during the cultivation season and a peak of 6 employees during the harvest seasons are expected.

All Canigou employees will be required to wear a Canigou-issued photo ID badge on a lanyard at all times while working at the cultivation site. They will be required to read the Canigou Operating Manual along with the Canigou Employee Handbook. They will also be required to sign and date a form acknowledging they have read and understand its contents (see Attachment A – *Personnel Acknowledgement Form*).

The *Agent in Charge* will meet with the *Lead Cultivator* and the *Assistant Cultivator* once a week to discuss any pending internal issues relating to day to day operations as well as discuss any upcoming schedule needs. Each department will give a weekly synopsis related to their particular tasks. This will include a plant count inventory, a daily fertilizer application summary, a daily pesticide application summary, and a daily water use summary. During periods of drying and curing The *Lead*

*Cultivator* will maintain daily contact with the *Agent in Charge* to keep the *Agent in Charge* abreast of any issues that occur pertaining to cultivation, inventory, non-security related employee issues and facility compliance needs. It is the intention of the *Agent in Charge* to maintain transparent communication at all times to ensure that the uninterrupted flow of medical cannabis remains compliant and within the code of conduct.

#### **2.6.4. EMPLOYEE SAFETY PRACTICES**

All part time seasonal employees will be trained on proper safety procedure. This training will include but not be limited to: fire safety, proper harvesting techniques, use of harvesting equipment, use of rubber gloves, proper hand washing guidelines and an Emergency Procedures Plan in case of emergency. Contact information for the local fire department, CAL FIRE, County Sheriff and Poison Control as well as the *Agent in Charge* will be posted in a conspicuous place. Canigou will require all employees to provide rubber gloves and Saline Eye Wash Stations will be provided at strategic places inside the Processing Facility. Canigou will also provide each Employee with a written copy of emergency procedures and contact information (see Appendix D – Emergency Procedures and Contact Information). A copy of the Ops. Plan will be kept on site by the *Agent in Charge* and will contain all MSDS, see Appendix F.

### **3. CULTIVATION AND PROCESSING PLAN**

#### **3.1. CULTIVATION PLAN**

##### **3.1.1. PLANTING METHODS AND MEDIUMS**

The outdoor cultivation will occur in garden beds within a PVC hoop houses and smart pots for a combined cultivation area of approximately 27,000 SF. Each hoop house is ventilated by natural airflow.

A complete list of base soil and amendments will be recorded in the *Lead Cultivators Handbook*. All soil and amendments will be OMRI (or equivalent) certified and MSDS for each applicable amendment will be recorded in the *Lead Cultivators Handbook*. The total amount of plants per bed is dependent upon the cultivar and run length.

##### **3.1.2. IRRIGATION AND FERTILIZATION PRACTICES**

Canigou will implement water resource management strategies to address water needs for the commercial medical cannabis cultivation described herein. This plan may include but not be limited to:

- Annual forbearance as determined by a *Water Availability Analysis*
- Obtaining a Lake or Streambed Alteration Agreement for the water diversion works and storage through the Department of Fish and Wildlife (DFW)
- Enrollment in the North Coast Regional Water Quality Control Board's (NCRWQCB) Cannabis Cultivation Discharge Program (Order #R1-2015-00230, which includes preparation of a Water Resources Protection Plan (WRPP).

Water for the Project will be seasonally diverted from Mattole River on the subject parcel. An appropriative right for irrigation has been filed through the State Water Resources Control Board (SWRCB) and an LSAA for the water diversion works will be obtained from the DFW of the State of

California for the seasonal diversion. Canigou registered with the NCRWQCB as a Tier 2 Cultivation site with every effort being made to move into the NCRWQCB Tier 2\* category in subsequent years.

The *Lead Cultivator* will be solely responsible for the implementation of the irrigation and fertilization program. The *Lead Cultivator* will also provide the necessary training of the *Assistant Cultivator* and oversee all product handling.

A proprietary nutrient solution is prepared as needed at time of application by the *Lead Cultivator*. The solution is formulated by manufacturers' instructions. MSDS and manufacturer labels will be available onsite.

Irrigation and fertigation of plants will occur initially via hand water. At this stage the plants are juvenile and planted in a container; therefore, the amount of irrigation and fertigation needed is better controlled via hand watering. Upon final planting plants will be irrigated and fertilized using drip emitters specifically tailored to the application. Additional hand watering/feeding will be implemented at this stage at the direction of the *Lead Cultivator*, as needed.

Refer to section 2.1. for summary of irrigation practices.

### 3.1.3. CULTIVATION SCHEDULE

#### *February 1 - May 15: Raising Nursery Stock, Initial Transplant*

All plant samples used in Canigou cultivation sites will be composed of cuttings taken from "mother" plants. Mother plants are composed of samples that have been deemed to demonstrate superior genetics for desired outcomes. Cuttings (clones) are taken from the mother plants at various intervals. These clones are then rooted at the Nursery Site. The *Lead Cultivator* will examine the clones and approve initial planting to begin. Artificial light is used at the Nursery Site to prevent plants from inducing the flowering cycle. Artificial light will be set on timers to control the daily usage.

Upon the *Lead Cultivator's* approval, the Initial Transplant will commence for plants designated for quick transition to the greenhouse. The Initial Transplant will occur at the Nursery Site. The rooted clones will be planted directly into half (½) gallon plastic containers. This point in the cultivation process is most often referred to as the "vegetative" cycle. Due to container and plant size, utilizing a hand watering method is most effective. The *Initial Transplant* phase lasts from one to two weeks depending on the desired outcome

The plants are then transplanted into 1-2 gallon plastic containers and the irrigation and fertilizer regime above is repeated.

When the *Lead Cultivator* has determined the plants have achieved desired height and plant growth density for final transplant, the plants are immediately planted into raised beds in the outdoor greenhouse. Due to the increase in container size and hours of light, the plants will continue to grow in a vegetative state for two to four (2-4) weeks. The approximate desired height and growth density would be three to four feet (3'-4'). Upon final transplant into raised beds, a drip irrigation/fertilization system will be implemented. Once this desired height and vegetative growth density has been achieved the Light Deprivation Phase begins.

Taking into account factors such as seasonal weather and medical cannabis strains chosen the *Lead Cultivator* will clean and prepare all outdoor cultivation sites for the season. All outdoor cultivation

sites will be tilled and amended. All amendments used are in accordance with County and State of California Department of Agriculture compliance. MSDS are recorded into the *Lead Cultivators Handbook*.

*May 1 - July 1: Light Deprivation Phase and Initial Transplant for Outdoor Cultivation*

Taking into account factors such as height, growth density and overall health of the plant, the *Lead Cultivator* will determine the exact date for the Light Deprivation process to begin. Once that date is determined, 100% light resistant, specifically designed tarps will be automatically pulled over the outside of the greenhouse. This process will reduce the daylight hours to the desired twelve (12) hours of daylight and twelve (12) hours of darkness to induce flowering. During the first two weeks of Light Deprivation, the plants will enter into a transitional phase where they will continue vegetative growth while transitioning into flowering. Once the plants enter the budding stage they will be fertilized using a proprietary blend of high phosphorus fertilizers as well as Kelp Powder and Molasses.

It is not uncommon for plants to obtain 25% of their entire height and vegetative growth density during the transitional phase. Once the plants enter in the final bloom or flowering phase, they will begin to expend energy into the production of flowers, therefore, ceasing vegetative growth and begin to flower. The entire flowering process, including the transitional and final bloom phases, will last fifty-five (55) to sixty-five (65) days depending on strain variation and weather conditions.

Upon the *Lead Cultivator's* approval, the Initial Transplant will commence for plants designated for the outdoor cultivation sites. The Initial Transplant will occur at the Nursery Site. The rooted clones will be planted directly into half (½) gallon plastic containers. This point in the cultivation process is most often referred to as the "vegetative" cycle. Due to container and plant size, utilizing a hand watering method is most effective. The *Initial Transplant* phase lasts from one to two weeks depending on the desired outcome. The plants are then transplanted into 5-gallon plastic containers and the irrigation and fertilizer regime above is repeated.

*July 1-15: First Harvest and Re-Planting of Greenhouse, and Planting of Outdoor Cultivation Sites*

Once the Light Deprivation Phase has concluded and the *Lead Cultivator* has determined the plants are at their peak, harvest procedures will be initiated (see *Harvesting/Processing Plan* for harvesting and processing procedure). The raised beds will be turned and amended. All amendments used are in accordance with County and State of California Department of Agriculture compliance. MSDS are recorded into the *Lead Cultivator's Handbook*. New clones will be transplanted from the Nursery.

Due to the length of daylight hours, the plants will continue in a vegetative state. Plants will be planted using the same methodology as with the Initial Transplant Phase. Final Transplant will occur when deemed appropriate by the *Lead Cultivator*, usually seven to 14 days from initial transplant.

Upon the *Lead Cultivator's* approval, the outdoor medical cannabis cultivation sites will be planted. Cages, t-posts and plastic trellis for medical cannabis plants will be installed in all outdoor cultivation sites. All outdoor medical cannabis plants will be fertilized with a proprietary feeding program. All fertilizers and supplements used are in accordance with County and State of California Department of Agriculture compliance. MSDS are recorded into the *Lead Cultivator's Handbook*.

*August 14 - November 7: Natural Flowering Cycle and Harvest Two Phase*

Due to the natural decline in daylight hours, approximately one (1) month after the Re-Planting

Phase of the outdoor greenhouse the plants will begin to flower naturally. This natural drop in light will negate the need for Light Deprivation Techniques. As in the Light Deprivation Phase, the plants will go through the transitional phase and final bloom phase. Once the plants enter into the bloom phase they will be fertilized using a proprietary high phosphorus feeding program. All fertilizers and supplements used are in accordance with County and State of California Department of Agriculture compliance. MSDS are recorded into the *Lead Cultivator's Handbook*. Once the plants are through the final bloom phase and the *Lead Cultivator* has determined they have reached peak potential, Harvest Two will be initiated (see *Harvesting/Processing Plan* for harvesting and processing procedure).

Due to the natural decline in daylight hours, the medical cannabis plants in the outdoor cultivation sites will begin to flower naturally. Once the plants enter into the bloom phase they will be fertilized using a proprietary high phosphorus feeding program. All fertilizers and supplements used are in accordance with County and State of California Department of Agriculture compliance. MSDS are recorded into the *Lead Cultivator's Handbook*. Once the plants are through the final bloom phase and the *Lead Cultivator* has determined they have reached peak potential, the outdoor cultivation sites harvest will be initiated (see *Harvesting/Processing Plan* for harvesting and processing procedure).

#### *November 7 - February 1: Repair, Upgrade and Recondition Phase*

Canigou will inspect all hoop houses and covers for wear and replace as necessary. The irrigation system will be inspected and repaired or replaced, as appropriate. Refilling of irrigation tanks will commence in accordance with the Small Irrigation Use Registration and conditions of the Department of Fish and Wildlife (DFW) Lake or Streambed Alteration Agreement (LSAA). Winter road and site maintenance will begin in line with procedures outlined in the *Site and Road Maintenance Plan*. The *Agent in Charge* and the *Lead Cultivator* will meet weekly to determine the best action plan for the upcoming season.

#### **3.1.4. GENERATOR USE PLAN**

Due to the remote location and off the grid nature of the site, it will be necessary for Canigou to employ the use of a generator for power. Canigou will limit generator use to an as needed basis following all guidelines set up by County and the State of California. Canigou will preferentially use solar-powered electricity at all times possible. The generators will be located over one hundred feet from the property line to ensure the noise level will not exceed 60 decibels at the property line.

Potential noise impacts to protected species are identified as part of the NTMP and the generator sites will be adjusted accordingly if species of concern and habitat are found. See Appendix E for generator data sheets.

The generators will be potentially in operation from February to December for supplemental lighting within the Nursery greenhouses and drying facilities. Solar-powered lighting and electricity will be preferentially used.

See Section 2.4. for details on the storage of generator fuel.

#### **3.1.5. PRODUCT INVENTORY AND TRACKING**

Canigou has implemented County mandated track and trace system Calorgins, Sicpa as required for



interim permit through Humboldt County. Canigou will use State track and trace system, Metrc when system is available for temporary and annual license holders. Inventory of all plants shall be performed by the *Lead Cultivator*. Batches of plants are inventoried by plant count within each greenhouse. This takes into account any plants that have been added to inventory from a permitted medical cannabis nursery and any plants that were removed from inventory (due to disease or pest infestation) or any plants moved to another phase of its lifecycle and any plants that have been destroyed. Any discrepancy in physical plant inventory is traced to the source of the discrepancy and documented. After further investigation, any appropriate corrective measures will be taken.

#### *Tracking the Change of Plants to Bulk Inventory*

In this phase of the lifecycle, the plant batches are changed from a living plant count inventory (where the plant is the unit) to bulk inventory, which is tracked by weight. This provides accurate yield information - a key insight into the cost of cultivation for each batch and the ability to forecast accurate yields for future batches. This information is added to the records created in the previous phase. Specific details that are recorded include:

- Weight after trimming
- Staff identification (at each step)
- Physical location of the plant material at all times

#### *Reporting*

The Master Log will contain reports on the harvest process, providing total weight harvested at each weigh point. Discrepancies are traced to the source, documented, and reported to the *Agent in Charge*. After investigation, any appropriate corrective measures are taken. All cultivation and harvest records are retained for a minimum of five (5) years.

### **3.2. PROCESSING PLAN**

The *Lead Cultivator* will be responsible for all training of seasonal harvest employees. Workers employed as harvesters will be required to train in each aspect of the procedure including use of harvesting tools, proper harvesting techniques and fresh harvested plant handling, and handling of dried flowers. This training will also include the use of rubber gloves, face masks and hand washing requirements. Access to any part of the onsite Drying and Curing Facility will be limited to the *Agent in Charge*, the *Lead Cultivator* and authorized trained harvesting employees.

#### **3.2.1. HARVESTING**

Harvesting will be done by hand, employing seasonal help. Each harvester will be issued an agricultural grade, spring loaded, hand held anvil style pruner. Each harvester will be trained by the *Lead Cultivator* on the use of the pruner and the methods by which each plant is to be harvested. In addition, Canigou will provide all harvest workers with proper hand, eye, body and respiratory safety equipment.

At the time of harvest, each plant will be recorded into the master log. Each plant will be harvested individually. The plants are then cut into branches, approximately sixteen inches (16") long. The branches are then transported to drying facilities for drying and curing.

#### **3.2.2. DRYING AND CURING**

Canigou proposes to permit an on-site drying and curing facility. This facility incorporates all aspects

of drying and curing. This facility is an approximately two thousand four hundred square foot (2400 SF) metal building that conforms to commercial building standards per the 2016 California Building Code. The metal building was constructed and all work was conducted by licensed and bonded contractors in accordance with County Building Codes. The interior of the building houses the drying and curing chamber and secure storage. The work space is well lit and ventilated.

Prior to entering the on-site drying and curing facilities, the product will be examined, weighed, recorded and logged into the Master Log by the *Lead Cultivator*. Branches will be hung on racks in dry facilities to air dry and cure. Air circulation will be utilized in the form of wall fans, exhaust fans and box fans. Each rack will contain the original numbered tag(s) of the plant(s). The exact date and time of day along with the identification numbers of each plant(s) will immediately be recorded into the Master Log.

The drying and curing process takes between seven (7) and ten (10) days. The *Lead Cultivator* and *Assistant Cultivator* will be checking the facility five (5) to six (6) times per day to monitor the progress. Once the material has reached the desired consistency the *Lead Cultivator*, *Assistant Cultivator*, and Seasonal Labor will prepare the dried and cured flowers to be transported offsite for processing. At this stage the *Lead Cultivator* will also randomly select up to five batch samples for third party testing.

### 3.2.3. PROCESSING

Once the *Lead Cultivator* has determined the drying and curing process meet Canigou's proprietary standards, the dried and cured flowers are then prepared to be transported offsite for processing. The *Lead Cultivator* will then instruct the *Assistant Cultivator* and Seasonal Labor to begin the process known as *Bucking Down*. *Bucking Down* occurs when the actual flowers or buds are removed from the stalks. This is achieved by using scissors to cut each individual bud from the stalk into a sterilized, locking lid bin. The discarded stalks will then be shredded and composted on site. Once each bin is full, the *Lead Cultivator* will seal, label, weigh and record in track and trace system the contents of each bin. Each bin will then be stored in a designated, locked container inside the dry facility. These bins will be transported by a State licensed transporter to a State licensed Processing Facility.

Canigou proposes to permit the existing on-site septic system connected to the residence. If septic system is deemed unsuitable for operational needs, Canigou proposes to permit and to install an on-site septic system in the drying facility. Canigou will provide temporary handwashing station adjacent to portable toilets. Anti-bacterial Liquid Soap and paper hand towels will be made available. Above the sink in a conspicuous place a "Before Returning to Work" hand washing procedure placard will be posted. The cleaning and sanitation of the restroom will be the responsibility of the *Assistant Cultivators*. A record of cleanings will be kept in the restroom at all times and include date and time of day cleaned.

### 3.2.6. PLUMBING AND SEPTIC SYSTEM

See section 2.5.

### 3.2.7. DRINKING WATER

Canigou will provide safe, clean, purified drinking water via store bought individual sealed bottled water bottles as well as an upright office style water cooler. Clean disposable paper cups will be made available to all employees.

### 3.2.8. ROAD USE AND MITIGATION STRATEGY

Canigou started its initial road repair and maintenance activities. All roads are in the process of being out sloped. In addition, rolling dips have been inserted at regular intervals as required for standard maintenance for logging roads. All outlets for water are clear of debris and allow free flow of water from the road surface. All berms have been removed. In addition, all roads on the property are in the process of being rocked. Once initial road repair and maintenance activities are complete, seasonal maintenance will include regrading of out slopes and rolling water bars to ensure good run off. We will also replace rock where necessary.

Canigou will conduct road maintenance inspections during any and all *major rain events*. Canigou considers a *major rain event* to be any rainfall above one half inch (1/2"). This inspection will include observing existing features for any minor or major issues, such as rolling dips, standing water in outlets, and the diversion of water running directly down and eroding the road surface.

Canigou will implement procedures to reduce traffic on our roads. Transportation and deliveries of medical cannabis and associated supplies will be delivered in bulk to minimize road impacts. By employing the use of mechanical trimming and drying machines, Canigou will mitigate the need for a large number of employees for processing, therefore, reducing the number of daily trips to the property. Canigou will encourage ride-sharing to and from the site by seasonal employees. It is also the intention of Canigou to provide transportation to and from the work site via a company car. It will be the responsibility of the *Lead Cultivator* to arrange the transportation of seasonal employees.

### 3.2.9. ON-SITE HOUSING

Canigou proposes to permit the existing single family residence that is proposed for onsite housing and security purposes.

### 3.3. SECURITY PLAN

A locked gate is located at the entrance to the parcel. A *No Trespassing* sign is proposed near the gate. Cultivation facilities will be completely enclosed by a six foot (6') security fence that features a locked gate. Proposed lighting outside of the cultivation and processing facility consists of a minimum of ten (10) security lights that illuminate the entrances and parking areas. Canigou is proposing to have security cameras at the entrance to the cultivation site and drying facility. Motion sensors will be installed at all cultivation sites.

All potential employees will be subject to a criminal background check prior to employment. Employees will be issued a company issued ID badge and will be required to display the badge at all times while working at the subject property.

### 3.4. TRANSPORTATION AND DISTRIBUTION PLAN

Transportation will be handled by Canigou or a third party, contracted, licensed transporter/distributor in accordance with MMRSA. All merchantable product will only be distributed through licensed medical cannabis dispensaries. Prior to moving packages from the on-site holding facility to another physical location, a transport manifest will be created by the distributor/transporter. This distribution document is required for each movement of packages and will be recorded in the Master Log.

The *Agent in Charge* and the *Processing Manager* are responsible for performing a physical

inventory of all packages being transported, ensuring that the physical inventory reconciles with the transport manifest, as well as the packaging material is intact and the labeling is secure. The distribution document records the current location and status of the packages, such as "in-transit" or "received." The licensed distributor must also create detailed transport manifests for the package distribution. The manifest contains details such as:

- Time of departure
- Time of arrival
- Product and product weight
- Route to be travelled
- Origin and destination addresses

## RESOURCES

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**Appendix A : Personnel Acknowledgement Form**

**Personnel Acknowledgement Form**

It is the intention of Cangiou, Inc to create an enjoyable, safe and sane workplace. We believe that understanding and compliance with our Operations Manual will create just that. It is the responsibility of each employee to read and understand the procedures outlined herein. If after reading and reviewing this entire document, you have any questions please see the Agent in Charge immediately for clarification. By signing this document below, it confirms your reading, understanding and adherence to the entire ***Cangiou, Inc OPERATIONS MANUAL FOR MEDICAL CANNABIS CULTIVATION.***

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***Employee sign and date***

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***Agent in Charge sign and date***

**Appendix B: Pesticide Storage, Handling and Application Plan**

**Canigou, Inc**

**Pesticide Storage, Handling and Application Plan**

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All pesticides, disinfectants, fungicides and agricultural chemical products used by the Canigou, will maintain strict compliance with standards imposed by the Humboldt County Agricultural department and State of California Department of Agriculture Department and US Environmental Protection Agency. The manager will maintain a current Private Applicators License with the Humboldt County Agricultural Department. This license will be posted and a copy will be entered into the Manager's Handbook and available for view by any regulatory agency deemed appropriate by Humboldt County or State of California.

**Storage**

All pesticides, disinfectants, fungicides and agricultural chemicals will be secured in an appropriate locked and labeled housing and accessed only by those employees that have been trained under the guidelines of *State of California Agricultural Department Personal Pesticide Application License* guidelines in handling, application and disposal of each product. Entry into the locked facility will be logged by the Lead Cultivator. This log will include: The name of employee removing the material, the date and time of day and the amount and type of pesticide removed.

Any over-the-counter pesticide products may be applied by either the *Manager* or trained personnel in accordance with State of California Agricultural Department's Private Applicators License criteria. Training of employees will be in accordance with *State of California Private Applicators License* criteria. These products will be limited to safe chemicals recognized by the Humboldt County Department of Agriculture, the California Department of Agriculture and the Federal EPA. Copies of all MSDSs and labels will be clearly identified and maintained onsite at all times in the Lead Cultivators Handbook. Upper Mattole will make available to its employees saline eye wash stations where ever pesticides are stored.

### **Handling**

The handling of pesticides/fungicide will be done in accordance with *State of California Agricultural Department Personal Pesticide Application License* guidelines. Handling will include, transportation from retail outlet to cultivation site, logging and entering into secured, labeled storage, mixing, preparation, transport to application locations on site, application and disposal. These activities will be logged into the Master Log immediately by the *Lead Cultivator*. By having a strictly monitored Pesticide Management plan in place, Canigou will strive for a "ZERO SPILL POLICY". In the event of a spill, Canigou will maintain on site an Emergency Containment and Clean Up policy in accordance with *State of California Agricultural Department Personal Pesticide Application License* guidelines.

Canigou will also maintain on site in a clearly marked and accessible secure location any materials deemed necessary for clean up or spill containment and abatement. Canigou will maintain a well-marked and easily accessible plan for accidental personnel exposure as well as proper applicators training as set forth by *State of California Agricultural Department Personal Pesticide Application License* guidelines in the event of such accidental exposure. Any spills or accidental personnel exposure will be reported to the appropriate agencies as deemed necessary by *State of California Agricultural Department Personal Pesticide Application License* guidelines. These incidents will also be documented into the Master Log by the *Lead Cultivator*.

### **Application**

All applications will be done in accordance with *State of California Agricultural Department Personal Pesticide Application License* guidelines. A copy of all applications will be manually entered into the Master Log. Proper eye, face and body protective wear as well as approved respirators shall be provided by Canigou and worn and available at all times during application of all pesticides/fungicides. A preventive application program per manufacturers' directions and label requirements will be established from the onset of the plants' initial transplant. Application frequency will vary with each phase of growth or infestation pressure. This will help to ensure the least amount of pesticide/fungicide will be needed. Application will end no less than thirty days before harvest or by manufacturers' label requirements, whichever is longer.

During application, factors such as wind, temperature and humidity will be taken into account. This will ensure that the pesticide/fungicide is used in the most efficient manner and will mitigate drift. Pesticides will be applied using a variety of methods including atomizer, backpack sprayer and airless

sprayer. Nozzle types and pressure settings will be determined by manufacture directions. Anywhere pesticide is applied Canigou will provide a saline eye wash station in case of accidental exposure.

### **Disposal**

Any mixed solutions will be used to their entirety. In the event there is a surplus of used mixed solution, it will be disposed of according to guidelines set forth by *State of California Agricultural Department Personal Pesticide Application License* procedures. After the applicator has finished application, the protective wear shall be discarded and disposed according to *State of California Agricultural Department Private Applicators License* guidelines. All bottles, containers or receptacles that have come into contact with, or contained, any product that falls under the State's guidelines for pesticides, disinfectants, fungicides and agricultural chemicals shall be washed, rinsed and or disposed of according to strict EPA and *State of California Agricultural Department Private Applicators License* guidelines. Proper training of employees in rinsing, washing and disposal shall be overseen by the Licensed *Lead Cultivator* on premise. All washing, rinsing or disposal of any product packaging, applicator or protective clothing will be logged into the Master Log.

## **Appendix C: Emergency Procedures and Contact Information**

### **Emergency Procedures Instructions**

<b>Upper Mattole</b>

*The first priority in the event of an emergency is for the safety of all people present. Move quickly out of area danger. Meet at assigned meeting place to get a headcount. Enact Emergency Procedures.*

### **Emergency Phone Numbers**

**Dial 911 for Fire/Police/Ambulance:**

**1. Tell the operator which emergency service you want**

**2. Wait until the service answers**



**3. Give the following address:**

**12035 Wilder Ridge Road, Garberville CA 95542**

**4. Do not hang up until told to do so by the 911 Operator**

**Other Emergency Contacts**

**Humboldt County Sheriff: 707-445-7251**

**Honeydew Cal Fire: 707-629-3344**

**Honeydew VFD: CB Channel 9 / 707-629-3445**

**Humboldt County HazMat: 707-445-6215**

**Humboldt County Ag Dept.: 707-441-5260**

**Fire and Emergency Procedures Checklist**

*You must know and understand what to do if a fire occurs. Your first concern is the immediate safety of visitors and staff; secondly, the need to call emergency services and then to contain the fire but only if it is safe to do so. If help is available, allocate responsibilities to others to create a competent fire fighting team.*

- Evacuate people from the area
- If it is safe to do so, switch off power to all equipment
- Call the fire department (dial 911)

- If a small fire, use your fire extinguisher if it is safe to do so – try to contain and extinguish the fire
- If the fire is near a fuel tank, do not attempt to extinguish the fire – retreat to a safe distance
- Be prepared to direct the fire service to the scene

### Spill Procedures Checklist

*You must know and understand what to do if a spill occurs. Your first consideration is the immediate safety of visitors and staff; secondly, the need to call emergency services and then contain the spill if it is safe to do so. If help is available allocate responsibilities to others to create a competent team to deal with the spill.*

- If the spill is from the hose or tap, shut the isolation valve
- Warn people in area of the spill – evacuate if necessary
- Remove sources of ignition if flammable substance present
- Evaluate the spill – only respond if you believe it is safe to do so
- Refer to the safety data sheet or call on an approved handler or other specialists for advice
- If necessary, call emergency services and advise local authority
- Put on safety equipment (e.g. overalls, boots, gloves, eye protection, etc.)

- Contain the spill if it is safe to do so – utilize a drip tray or oversize container or spill kit to soak up the substance
- Dispose of waste safely as set out in the material safety data sheet

### **Incident Reporting**

*Every accident resulting in injury or damage to farm property must be reported to your manager immediately.*

**Respond to the accident promptly and positively**

**Collect relevant information about the incident**

**Develop and take remedial actions**

**Complete insurance claims and reports required**

#### ***First Aid***

- A first aid kit must be kept on the premises and maintained
- All staff must know basic first aid procedures

#### ***Minor Injury Accidents***

•	Minor cuts and abrasions must be attended to immediately
•	If in doubt contact a physician or call 911

#### ***Serious Injury Accidents***

- Call an ambulance immediately (dial 911)

•	Seek the assistance of any first responder
•	Stabilize Victim

- Advise your manager

### ***Property Damage***

- All damage to farm property must be reported to your manager

## **Emergency First Aid-Procedures**

### **Control of Bleeding**

1. Direct pressure – use your hand(s).
2. Elevate (raise) the limb
3. Apply a pad and firm bandage.
4. If necessary use clean rags or clothing.

#### ***Remember!!***

- *Always check circulation below the bandage!*
- *If there is tingling, numbness or blueness loosen the bandage.*

## **Management of Burns**

1. Cool the burnt area with cool water for 10-15 minutes
2. If necessary, cover the burn with a clean dressing or plastic wrap before removing person to medical aid.

#### ***Remember!!***

- *Do not burst blisters.*
- *Do not remove clothing that is stuck.*
- *Do not apply creams*

## Management of Eye Injuries

### Foreign bodies in the eye(s)

1.	Wash the eye(s) with eyewash or clean water.
2.	If the foreign body is stuck to the eye DO NOT attempt remove.
3.	Place covering over the eye and obtain medical attention.

### Management of Chemicals in Eye(s)

1.	Wash the eye(s) with clean cool water for at least 15 minutes.
2.	Wash from near the nose outward.
3.	Always wash under the upper eyelid.
4.	Obtain medical attention

### Breathing

If a person is breathing but unconscious turn them on their side to prevent tongue swelling or vomit from obstructing airway.

If person is not breathing

• Check airway for blockage and clear
• Call 911
• Administer CPR

## Location of Firefighting Equipment, Spill and First Aid Kits

A fire extinguisher is located in the following places:

• All Generator Sheds
-----------------------

<input type="checkbox"/> <i>All Cold Frames</i>
<input type="checkbox"/> <i>Fertilizer Storage Facility</i>
<input type="checkbox"/> <i>Pesticide Storage Facility</i>
<input type="checkbox"/> <i>Drying and Processing Facility</i>

A first aid kit is located in the following places:

<input type="checkbox"/> <i>All Generator Sheds</i>
<input type="checkbox"/> <i>Cultivation Site</i>
<input type="checkbox"/> <i>Fertilizer Storage Facility</i>
<input type="checkbox"/> <i>Pesticide Storage Facility</i>
<input type="checkbox"/> <i>Drying and Curing Facility</i>

A spill kit is located in the following places:

<input type="checkbox"/> <i>All Generator Sheds</i>
<input type="checkbox"/> <i>Cultivation Site</i>
<input type="checkbox"/> <i>Fertilizer Storage Facility</i>
<input type="checkbox"/> <i>Pesticide Storage Facility</i>

**Cannabis Regulatory Program**  
**North Coast Regional Water Quality Control Board**  
**Site Management Plan**

May 22, 2019 Version

<b>Preparer Name:</b>		<b>Application Number:</b>	
<b>Email Address:</b>		<b>Tier and Risk Designation:</b>	
<b>Site Name:</b>		<b>Disturbed Area (ft<sup>2</sup>):</b>	
<b>County:</b>		<b>Cultivation Area (ft<sup>2</sup>):</b>	
<b>APN(s):</b>		<b>Cumulative Disturbed Area (ft<sup>2</sup>)*:</b>	
<b>Site Address:</b>		<b>Cumulative Cultivation Area (ft<sup>2</sup>)*:</b>	

*\*For sites with multiple enrollments on the same property, report the combined disturbed area and cultivation area of all cannabis cultivation on the property. If this does not apply, leave this section blank.*

This plan describes how the cultivator is implementing the best practical treatment or control (BPTC) measures listed in Attachment A of the Cannabis General Order. Refer to Attachment D of the General Order for further technical report guidance. If the sections below do not provide sufficient space, you may attach additional pages.

**Fill out the form electronically, save as a PDF file, and email the completed electronic form along with maps and photos to [NorthCoast.Cannabis@waterboards.ca.gov](mailto:NorthCoast.Cannabis@waterboards.ca.gov). Please do not submit forms that have been printed and scanned.**

## **1. Sediment Discharge BPTC Measures**

### **A. Site Characteristics**

#### **i. Site Map**

Attach a map of the site. The map should contain the following features with labels:

- Access roads
- Vehicle parking areas
- Streams
- Stream crossings
- Cultivation site(s)
- Disturbed areas
- Buildings
- Other site features that are referenced in this plan. (e.g. BPTC measures, pesticide/ fertilizer storage, trash/ refuse storage, etc.)

The map should also include:

- A legend
- A north arrow
- A scale bar
- Topographic lines

#### **ii. Access Road Conditions**

a. What is the road surface type(s)? Check all that apply.

☐ Asphalt ☐ Gravel ☐ Dirt ☐ Concrete ☐ Other (describe): \_\_\_\_\_

b. Is there evidence of erosion, such as gullies or rills? If yes, describe current conditions and how they will be remediated in the space below.

☐ Yes ☐ No

c. Does any portion of the access road(s) act as a conveyance for water? If yes, describe in the space below.

☐ Yes ☐ No

d. What is the estimated vehicle traffic on these roads?

Commuter vehicles: \_\_\_\_\_ per

Commercial vehicles: \_\_\_\_\_ per

Heavy equipment: \_\_\_\_\_ per

Other \_\_\_\_\_: \_\_\_\_\_ per

e. How is storm water drained from the roads? Check all that apply. Refer to *The Handbook for Forest Ranch and Rural Roads* for information on the methods listed below. (Available at <http://www.pacificwatershed.com/PWA-publications-library>.)

☐ Crowned ☐ Out slope ☐ Armored ditch ☐ Culverts ☐ Rolling dips ☐ Other (describe below)



f. Describe the number, spacing, and discharge location of water drainage features.

g. Select the erosion control and sediment capture measures used on the access roads and water drainage features. Check all that apply.

*Erosion Control Measures*

- ☐ Erosion control blankets   ☐ Geotextiles   ☐ Straw mulch   ☐ Hydromulch   ☐ Wood mulch  
☐ Vegetation Preservation   ☐ Vegetation Planting   ☐ Hydroseeding   ☐ Vegetated channels  
☐ Check dams   ☐ Other: \_\_\_\_\_

*Sediment Capture Measures*

- ☐ Fiber Rolls   ☐ Silt fences   ☐ Other: \_\_\_\_\_

Describe the selected measures in the space below:

h. What activities are done to maintain the roads? What activities are done to maintain erosion control measures? What is the maintenance schedule?

### iii. Streams

a. Do you have any streams, drainages, or channels on or adjacent to your property?

☐ Yes ☐ No

b. If applicable, provide the name(s) of the stream(s). If the stream, drainage, or channel doesn't have a name, write "Unnamed Stream":

c. If there is a stream, what is the distance between the edge of the stream bank and the edge of the disturbed area at the closest point? How did you take this measurement?

\_\_\_\_\_ feet Measurement method:

d. Do you have any stream crossings?

☐ Yes ☐ No

e. If yes, what types of crossings are they? If there are multiple crossings, check all that apply.

☐ Bridge ☐ Culvert ☐ Low water ☐ Other, Describe: \_\_\_\_\_

f. If yes, was the crossing designed by a Qualified Professional (e.g. licensed engineer)?

☐ Yes ☐ No

g. Provide a description of all stream crossings, including who designed them, number of crossings, material, size, frequency of use, and any other relevant details. Indicate the location of stream crossings on your site map. Attach photos of all stream crossings and cross-sectional areas of all engineered flow conveyances (e.g. culverts and ditches) used at crossings.

## **B. Sediment Erosion Prevention and Sediment Capture**

*If you are classified as Moderate Risk Tier 1 or Moderate Risk Tier 2 and are submitting a Site Erosion and Sediment Control Plan that includes the following information, you may skip this section.*

### **i. Erosion Prevention BPTC Measures**

*On your site map, indicate the location of erosion prevention BPTC measures described below. Describe erosion prevention BPTC measures around all disturbed areas and features. Include BPTC measures implemented to address erosion resulting from storm water runoff from impervious surfaces, including but not limited to parking lots and roofs of greenhouses, warehouses, or storage facilities. Attach photos documenting implemented measures and locations for planned implementation.*

a. How is storm water drained from buildings, greenhouses, and other structures? How are storm water conveyance systems monitored and maintained to protect water quality?

b. What physical BPTC measures have been implemented to prevent or limit erosion? Check all that apply.

- ☐ Straw mulch   ☐ Wood mulch   ☐ Hydromulch   ☐ Plastic covers   ☐ Slope stabilization   ☐ Soil binders  
☐ Erosion control blankets   ☐ Geotextiles   ☐ Culvert outfall armoring   ☐ Other:

Describe the physical BPTC measures checked above, including when they are used and where they are placed.

c. What biological BPTC measures have been implemented to prevent or limit erosion? (e.g. vegetation preservation/ replacement, hydro seeding, etc.)? Check all that apply.

- ☐ Vegetation preservation   ☐ Vegetation planting   ☐ Hydroseeding   ☐ Other:

Describe the biological BPTC measures checked above, including when they are used and where they are employed.

d. What physical and biological BPTC measures do you plan to implement to prevent or limit erosion? Check all that apply.

**Physical BPTC measures:**

- ☐ Straw mulch   ☐ Wood mulch   ☐ Plastic covers   ☐ Slope stabilization   ☐ Soil binders  
☐ Culvert outfall armoring   ☐ Other:

**Biological BPTC measures:**

- ☐ Vegetation preservation   ☐ Native vegetation planting   ☐ Hydroseeding   ☐ Other:

Describe the planned BPTC measures and provide an implementation schedule below.

## ii. Sediment Control BPTC Measures

*On your site map, indicate the location of sediment control BPTC measures described below. Describe sediment control BPTC measures around all disturbed areas and features. Attach photos documenting implemented measures and locations for planned implementation.*

a. What physical BPTC measures have been implemented to capture sediment that has been eroded? Check all that apply.

☐ Silt fences   ☐ Fiber rolls   ☐ Settling ponds/ areas   ☐ Other:

Describe the physical BPTC measures checked above, including when they are used and where they are placed.

b. What biological BPTC measures have been implemented to capture sediment that has been eroded? Check all that apply.

☐ Vegetated outfalls   ☐ Hydro seeding   ☐ Other:

Describe the biological BPTC measures checked above, including when they are used and where they are employed.

c. What physical and biological BPTC measures do you plan to implement to prevent or limit erosion? Check all that apply.

**Physical BPTC measures:**

☐ Silt fences   ☐ Fiber rolls   ☐ Settling ponds/ areas   ☐ Other:

**Biological BPTC measures:**

☐ Vegetated outfalls   ☐ Hydro seeding   ☐ Other:

Describe the planned BPTC measures and provide an implementation schedule below.

**iii. Maintenance Activities- Erosion Prevention and Sediment Control**

a. How will erosion prevention BPTC measures, sediment control BPTC measures, and stormwater conveyance systems be monitored and maintained to protect water quality? Describe all required maintenance tasks and a schedule for implementation.

b. How will captured sediment be handled? Check all that apply.

☐ Stabilized in place.    ☐ Excavated and stabilized on site.    ☐ Removed from the site.

Describe the procedure for handling captured sediment below:



## 2. Fertilizer, Pesticide, Herbicide, and Rodenticide BPTC Measures

### A. Product List

*In the sections below, list all products used and describe how they are delivered to the site, how they are stored, and how they are used at the site. Also describe how products will be removed from the site or stored to prevent discharge if they are not consumed before the winter season. If there is not enough space, list remaining products on a separate sheet.*

### i. Fertilizers

[illegible]

## ii. Pesticides

[illegible]

### iii. Herbicides

[illegible]

## iv. Rodenticides

[illegible]

**B. Product Storage Location**

i. Do you use secondary containment for the storage of fertilizers, pesticides, herbicides, and rodenticides?

☐ Yes   ☐ No

ii. Where are products stored on site? Indicate the storage location on your site map.

**C. Bulk Fertilizers and Chemical Concentrates**

i. How are bulk fertilizers and chemical concentrates stored, mixed, and applied?

ii. How are empty containers disposed of?

**D. Spill Prevention and Cleanup Plan**

i. What procedures are in place to prevent spills of fertilizers, pesticides, herbicides, and rodenticides?

ii. What procedures are in place to clean up spills if they occur?

### 3. Petroleum Product BPTC Measures

#### A. Product List

*In the sections below, list all products used and describe how they are delivered to the site, how they are stored, and how they are used at the site. Also describe how products will be removed from the site or stored to prevent discharge if they are not consumed before the winter season.*

Product Name	Product Description

#### B. Product Storage Location

i. Do you use secondary containment for the storage of petroleum products?

☐ Yes ☐ No

ii. Where are products stored on site? Indicate the storage location on your site map.

### **C. Product Use**

i. How are fuels, lubricants, and other petroleum products stored, mixed, and applied?

ii. How are empty containers disposed of?

### **D. Spill Prevention and Cleanup Plan**

i. What procedures are in place to prevent spills of petroleum products?

ii. What procedures are in place to clean up spills if they occur?

#### 4. Trash/ Refuse, and Domestic Wastewater BPTC Measures

##### A. Type of Trash/ Refuse

i. What types of trash/ refuse will be generated at the site? Include a description of all solid waste materials (e.g. spent hydroponic growing media, organic materials, plastic, paper, glass, clay, etc.)

ii. How will trash/ refuse be contained and properly disposed of?

iii. Where will trash/ refuse be stored? Indicate the location of trash/ refuse storage on your site map.

**B. Personal Waste**

i. How many employees, visitors, and residents will you have at the site?

Employees:

Residents:

Visitors: \_\_\_\_\_ per \_\_\_\_\_

ii. What types of domestic wastewater will be generated at the site? Check all that apply.

☐ Household generated wastewater    ☐ Chemical toilet waste    ☐ Other:

iii. How will domestic wastewater be disposed? Check all that apply.

☐ Sewer

☐ Permitted onsite wastewater treatment system (e.g. septic tank and leach lines) Provide a schematic and a copy of your permit for the system.

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

☐ Outhouse, pit privy, or similar. (Use of this alternative requires approval from the Regional Board Executive Officer. Attach the approval from the Executive Officer and any conditions imposed if using this alternative. Indicate the location of any domestic wastewater treatment, storage, or disposal areas on your site map, as well as the locations of all water wells (e.g. drinking water, irrigation water, commercial water, etc.) inside or within 0.5 mile of the site boundary.)

**5. Winterization BPTC Measures****A. Winterization Activities Performed**

What activities will be performed to winterize the site and prevent discharges of waste?

**B. Maintenance of Drainage and Sediment Capture Features**

What maintenance activities will be performed to remove debris and soil blockages from drainage and sediment capture features (e.g. drainage culverts, drainage trenches, settling ponds, etc.) and ensure adequate capacity exists? Include a description of how all solid waste materials are managed.

**C. Revegetation Activities**

What revegetation activities will occur at the beginning or end of the precipitation season?

**D. Compliance Schedule**

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

Provide a timeline for implementation of these measures:



## 6. Cannabis Cultivation Details

A. Growing Methods
i. Where is cannabis grown? <input type="checkbox"/> Fully outdoor <input type="checkbox"/> Hoophouse <input type="checkbox"/> Greenhouse with permeable floors <input type="checkbox"/> Other (please describe):
ii. What type of container is cannabis grown in? Check all that apply.  <input type="checkbox"/> In ground <input type="checkbox"/> Raised beds <input type="checkbox"/> Pots/ grow bags/ trays on the ground <input type="checkbox"/> Pots/ grow bags/ trays elevated off the ground <input type="checkbox"/> Other (describe): _____
iii. If cannabis is grown in containers elevated off the ground, is irrigation tailwater collected? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> A portion of it is collected <input type="checkbox"/> N/A  If yes, describe what you do with the captured irrigation tailwater:
B. Irrigation Water Treatment
i. Is irrigation water filtered prior to use? <input type="checkbox"/> Yes <input type="checkbox"/> No  If irrigation water is filtered, answer the questions below:
ii. What type of filtration is used (i.e. reverse osmosis, ion exchange, etc.)?
iii. What is the maximum volume of water filtered per day?
iv. How are filter residuals (i.e. brines, etc.) disposed of?
v. What is the volume of residual produced? _____ gallons per

## 7. Certification

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

☐ I have read and accept the above terms.

Operator/Responsible Party \_\_\_\_\_ Date Prepared \_\_\_\_\_

HUMBOLDT COUNTY DEPARTMENT OF PUBLIC WORKS  
ROAD EVALUATION REPORT

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

Applicant Name: Tristan STRAUSS APN: 108-012-008

Planning & Building Department Case/File No.: 12085

Road Name: PRIVATE ROAD (complete a separate form for each road)

From Road (Cross street): WILDER RIDGE

To Road (Cross street): PROPERTY

Length of road segment: 1.4 miles Date Inspected: 10/23/17

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

Check one of the following:

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

**Box 2** ☒ The entire road segment is developed to the equivalent of a road category 4 standard. If checked, then the road is adequate for the proposed use without further review by the applicant.

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

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

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

Signature

Date

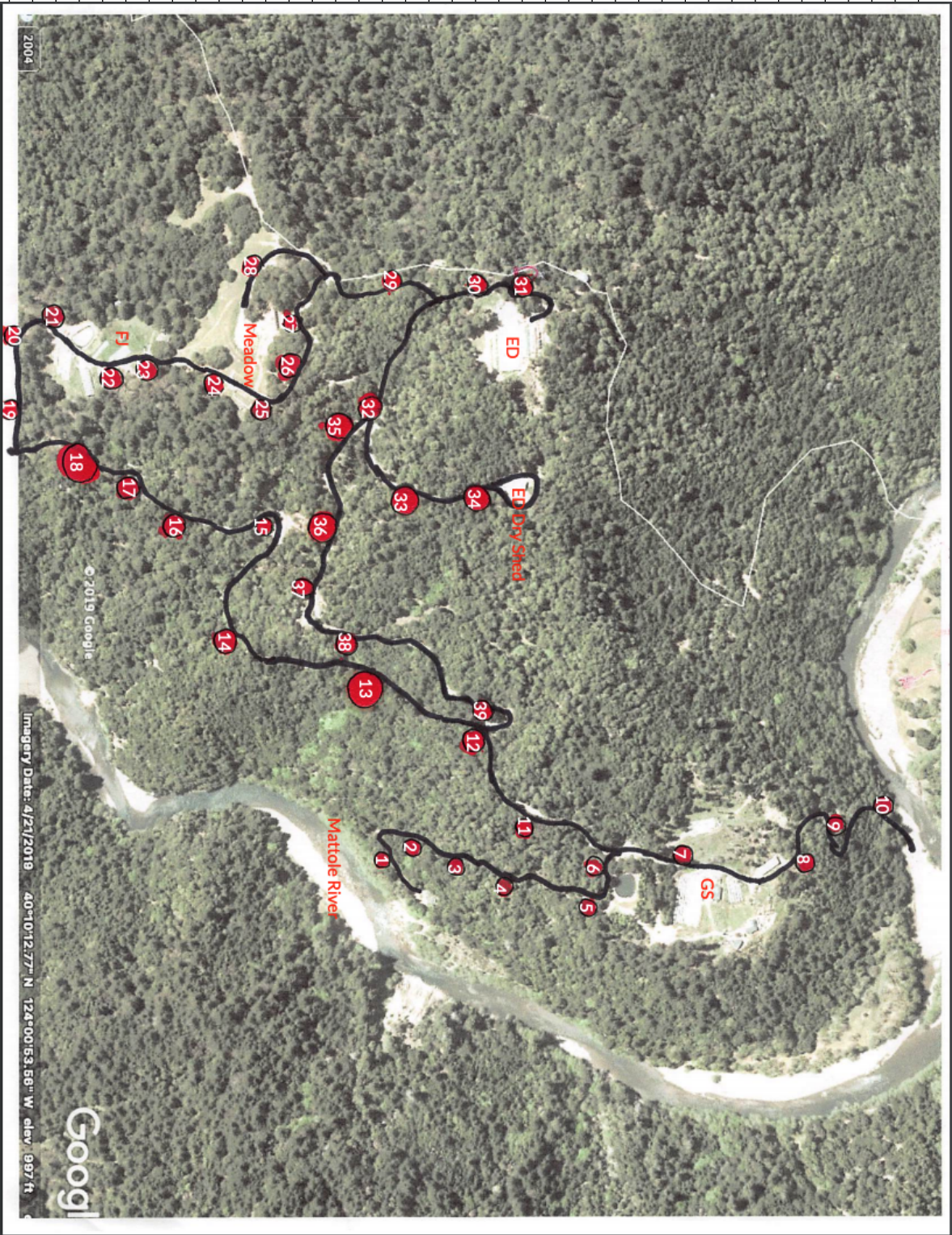
TRISTAN STRAUSS  
Name Printed

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



Road Point Condition Descriptions

RP #	
1	rolling dip
2	rolling dip
3	culvert - 24 inch
4	rolling dip
5	rolling dip
6	rolling dip
7	culvert - 12 inch
8	rolling dip
9	rolling dip
10	rolling dip
11	rolling dip
12	rolling dip
13	rolling dip
14	rolling dip
15	culvert - 30 inch
16	culvert - 6 inch
17	culvert - 24 inch
18	culvert - 24 inch
19	culvert - 12 inch
20	rolling dip
21	rolling dip
22	rolling dip
23	rolling dip
24	rolling dip
25	rolling dip
26	rolling dip
27	rolling dip
28	rolling dip
29	rolling dip
30	rolling dip
31	rolling dip
32	2 culverts - 24 inch each
33	rolling dip
34	rolling dip
35	rolling dip
36	culvert 24 inch
37	rolling dip
38	rolling dip
39	rolling dip





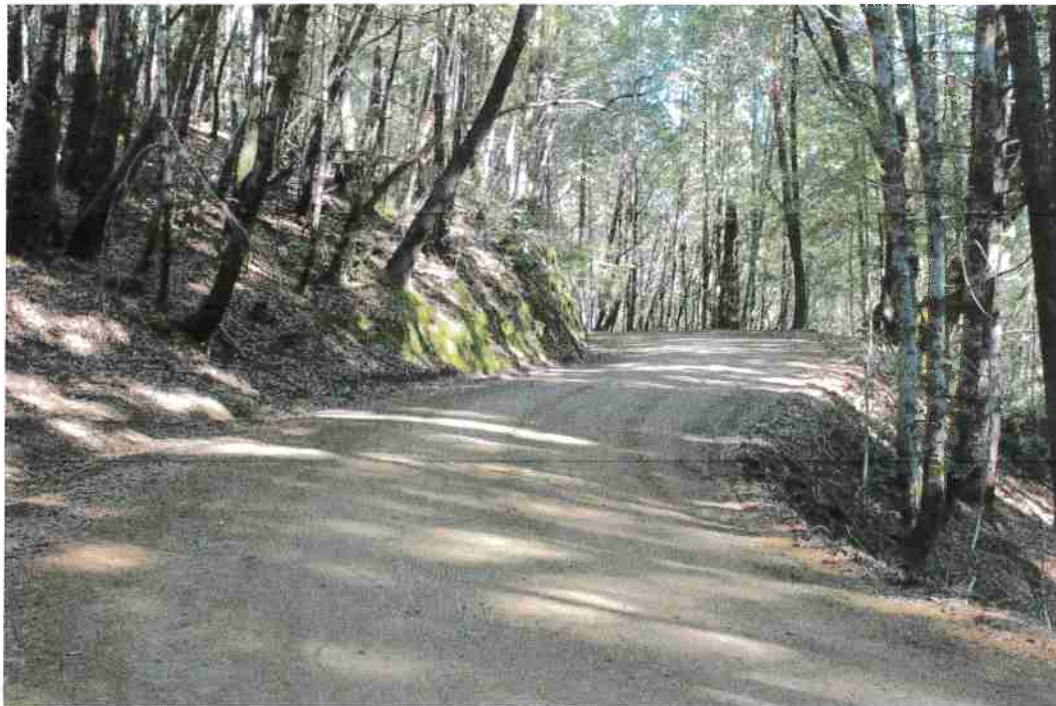




#1



#2



#5



#6





#9



#10





#13



#14





**Cannabis Regulatory Program**  
**Central Coast Regional Water Quality Control Board**  
**Nitrogen Management Plan**  
 October 17, 2019 Version

<b>County:</b>		<b>Cultivator Name:</b>	
<b>Site Name:</b>		<b>Site Address:</b>	
<b>APN(s):</b>		<b>WDID #:</b>	
<b>Tier:</b>		<b>Risk:</b>	
<b>Disturbed Area (ft<sup>2</sup>):</b>		<b>Cultivation Area (ft<sup>2</sup>):</b>	
<b>Cumulative Disturbed Area (ft<sup>2</sup>)*:</b>		<b>Cumulative Cultivation Area (ft<sup>2</sup>)*:</b>	

*\*For sites with multiple enrollments on the same property, report the combined disturbed area and cultivation area of all cannabis cultivation on the property. If this does not apply, leave this section blank.*

Tier 2 dischargers that cultivate greater than one acre of cannabis are required to submit a Nitrogen Management Plan (NMP). This plan describes how nitrogen is stored, used, and applied to crops in a way that is protective of water quality. Refer to Attachment D of the General Order for further technical report guidance. If the sections below do not provide sufficient space, you may attach additional pages.

**Fill out the form electronically, save as a PDF file, and email the completed and saved electronic form to [CentralCoast.Cannabis@waterboards.ca.gov](mailto:CentralCoast.Cannabis@waterboards.ca.gov). Please do not submit forms that have been printed and scanned.**

## 1. Facility Description

<b>A. Location and Configuration</b>
i. Attach a site map that shows the following. (The map can be the same one used for the Site Management Plan as long as it includes the elements listed below.) <ul style="list-style-type: none"> <li>• Site location</li> <li>• Nearby waterbodies</li> <li>• Public and access roads</li> <li>• Topographic lines</li> <li>• Any other features called out in this plan</li> </ul>
ii. Facility Plan- Attach a scaled drawing that shows the following: <ul style="list-style-type: none"> <li>• The facility</li> <li>• Disturbed areas</li> <li>• Cultivation areas</li> <li>• Buildings</li> <li>• Access roads</li> <li>• Greenhouses</li> <li>• Material storage areas</li> <li>• Sources of irrigation water including the location of wellheads if applicable</li> <li>• Water storage</li> <li>• Any other features called out in this plan</li> </ul>

## B. Growing Methods

i. What is the canopy area acreage at plant maturity?

Canopy Area = \_\_\_\_\_ Acres

ii. Where is cannabis grown?

- ☐ Fully outdoors    ☐ Hoophouse    ☐ Greenhouse with permeable floors  
☐ Other (please describe):

iii. What method is used to grow cannabis?

- ☐ Soil    ☐ Hydroponic    ☐ Other (please describe):

iv. What type of medium/ container is cannabis grown in?

- ☐ In ground    ☐ Raised beds    ☐ Grow bags with soil    ☐ Pots with soil  
☐ Pots with hydroponic medium    ☐ Trays with soil    ☐ Trays with hydroponic medium  
☐ Other: \_\_\_\_\_

v. Provide a description of the growing methods checked above, including how the crop is irrigated.

## C. Recycled Water

If water is recycled, provide a description of the storage, treatment and reuse process.

## 2. Sources of Nitrogen

### A. Bulk Materials

What bulk materials are used for cultivation? This includes materials used as growing medium or amendments such as potting soil, manure, biosolids, etc.

### B. Dry Fertilizers

What dry fertilizers are used for cultivation? This includes materials added to a growing medium or mixed with irrigation water that provide nutrients to the crop. Examples include bone meal, feather meal, pelletized manure or biosolids, pelletized chemical fertilizer, etc.

### C. Liquid Fertilizers

What liquid fertilizers are used for cultivation? This includes materials added to irrigation water and applied directly to the crop. Examples of liquid fertilizers include fish emulsion and chemical fertilizers.

### 3. Nitrogen Storage, Use, and Disposal Practices

#### A. Delivery and Storage

i. When are fertilizers delivered to the site? (e.g. as needed or at the beginning of the growing season)

ii. How will bulk, dry, and liquid fertilizers be stored? Describe the storage method, storage structure, and secondary containment.

#### B. Mixing or Processing

Where will nitrogen containing materials be mixed or processed? Describe the areas and indicate their location on the site map. Describe measures taken to limit spills and protocol in place to address spills when they occur.

#### C. Disposal

i. How will spent growing medium be dealt with? Check all that apply.

☐ Used on site    ☐ Removed from the site    ☐ Other: \_\_\_\_\_

ii. Describe the method(s) checked above. If spent growing medium is used on site, describe how amendments are added to the existing medium to improve the nitrogen content. When does this process occur?

#### 4. Nitrogen Application Rate

##### A. Monthly Applied Nitrogen

Complete the nitrogen management worksheet in Attachment A below that calculates the pounds of nitrogen applied on a month-by-month basis for the entirety of the growing season. Note that pounds of nitrogen applied is less than pounds of fertilizer applied.

See [Attachment D of the Cannabis General Order](#) for guidance on calculating nitrogen applied.

##### B. Nitrogen Limited Plants

If nitrogen is applied beyond the limit established in the General Order, a plant tissue sample analysis must be provided that demonstrates that the crop is nitrogen limited. The analysis must demonstrate that the crop has an uptake rate that is greater than the established application limit. If this applies, provide the name and contact information of the analytical or agricultural laboratory that will provide plant tissue analysis:

Lab Name: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Email Address: \_\_\_\_\_

#### 5. Certification

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

☐ I have read and accept the above terms.

Operator/Responsible Party \_\_\_\_\_ Date Prepared \_\_\_\_\_

## Attachment A – Nitrogen Management Worksheet

### Instructions

1. Section 1: Nitrogen in Source Water
  - a. Report the concentration of nitrogen in water used for irrigation of cannabis. This value should not include nitrogen added by the cultivator through fertilizer. The nitrogen concentration is used to calculate the amount of nitrogen applied with the irrigation water, reported in Section 2.
  - b. If irrigation water is treated prior to being applied to crops (e.g. by using reverse osmosis), report the concentration before and after treatment.
  - c. If no treatment is used prior to irrigation, use the value reported in A to calculate the amount of nitrogen applied with irrigation water for the tables in Section 2. If treatment is used, use the value reported in C.
2. Section 2: Nitrogen Applied
  - a. Review the definitions below for clarification on key terms.
  - b. Define the boundary of each cultivation area and report the acreage of this area above each table. This defined cultivation area must be consistent throughout the year. You may define multiple cultivation areas on a single property. In the dropdown next to "Cultivation Area," select the cultivation area number (1, 2, 3, etc.).
  - c. Complete one table for each harvest on each defined cultivation area. Above each table, select a crop number (1, 2, 3, or 4) using the dropdown next to "Crop" and input the canopy acreage of the crop. Within the table, enter the pounds of nitrogen applied through bulk material, dry fertilizer, liquid fertilizer, and existing nitrogen in irrigation source water for each month applied.
  - d. The worksheet will calculate the total nitrogen you plan to apply on a month-by-month and annual basis.
  - e. To complete worksheets for additional cultivation areas, click the button at the beginning of Section 2.

### Definitions

- Cultivation Area: For outdoor cultivation, the perimeter of the area planted. For indoor cultivation, the entire area of the structure where cultivation occurs, excluding any areas used solely for non-cultivation activities (e.g. office space).
- Canopy Area: The portion of the cultivation area covered with plant material at maximum plant height and width.
- Bulk: Nitrogen contained in materials either used as growing medium or as amendments to the growing medium (e.g. potting soil, manure, biosolids, etc.).
- Dry Fertilizers: Nitrogen contained in dry materials added to a growing medium or mixed with irrigation water (e.g. bone meal, feather meal, pelletized manure or biosolids, pelletized chemical fertilizer, etc.).
- Liquid Fertilizers: Nitrogen contained in liquid materials added to irrigation water (i.e., fertigation), or that are applied directly to the crop (e.g. fish emulsion, chemical fertilizers, etc.).
- Irrigation Water Nitrogen: Nitrogen present in the irrigation water that was not added by the cultivator. If water is treated prior to being used for irrigation (e.g. reverse osmosis), use the post-treatment nitrogen concentration in the tables.

## Nitrogen Applied Calculators

These calculators can be used to assist in calculating nitrogen applied. For further guidance refer to Attachment D of the Cannabis General Order.

### Bulk, Dry, and Liquid Products

Use the calculators below to calculate the pounds (lbs) of nitrogen applied to the crop from bulk, dry, and liquid fertilizers.

#### Bulk Materials

% Nitrogen	Fertilizer Weight Applied (lbs)	Nitrogen Applied (lbs)

#### Dry Fertilizers

% Nitrogen	Fertilizer Weight Applied (lbs)	Nitrogen Applied (lbs)

#### Liquid Fertilizers

% Nitrogen	Density (lbs/gallon)	Volume Applied (gallons)	Nitrogen Applied (lbs)

#### Irrigation Source Water

Use the calculators below to calculate the pounds (lbs) of nitrogen applied to the crop from irrigation source water. Nitrate concentration is typically reported using one of two conventions, either as nitrate ( $\text{NO}_3^-$ ) or as nitrogen ( $\text{NO}_3\text{-N}$ , or N). Some laboratory methods may provide the nitrogen concentration as Total Nitrogen (Total N).

To calculate nitrogen applied based on nitrate ( $\text{NO}_3$ ) concentration:

Volume of Irrigation Water Applied (gallons)	Concentration of Irrigation Water as $\text{NO}_3^-$ (mg/L)	Nitrogen Applied (lbs)

To calculate nitrogen applied based on nitrogen ( $\text{NO}_3\text{-N}$ , N, or Total N) concentration:

Volume of Irrigation Water Applied (gallons)	Concentration of Irrigation Water as $\text{NO}_3\text{-N}$ , N, or Total N (mg/L)	Nitrogen Applied (lbs)

## **Section 1. Nitrogen in Source Water**

A. What is the nitrogen concentration of water used for irrigation prior to any treatment?

\_\_\_\_\_

B. What type of treatment is used on irrigation water prior to application, if any?

☐ Reverse Osmosis    ☐ No treatment    ☐ Other: \_\_\_\_\_

C. If treatment is used, what is the nitrogen concentration of irrigation water after treatment?

\_\_\_\_\_

## **Section 2. Nitrogen Applied**

To add additional tables, press this button. It may take a few moments:

**Cultivation Area**  
**Crop**

Cultivation Area Acres:  
Canopy Area Acres:

### **Nitrogen Applied (lbs)**

<b>Month</b>	<b>Bulk</b>	<b>Dry</b>	<b>Liquid</b>	<b>Irrigation Water</b>	<b>Monthly Subtotal</b>
January					
February					
March					
April					
May					
June					
July					
August					
September					
October					
November					
December					
<b>Subtotal</b>					

**Total Annual Nitrogen Applied (lbs) =**



**Cultivation Area**  
**Crop**

Cultivation Area Acres:  
Canopy Area Acres:

**Nitrogen Applied (lbs)**

Month	Bulk	Dry	Liquid	Irrigation Water	Monthly Subtotal
January					
February					
March					
April					
May					
June					
July					
August					
September					
October					
November					
December					
<b>Subtotal</b>					

**Total Annual Nitrogen Applied (lbs) =**

**Cultivation Area**  
**Crop**

Cultivation Area Acres:  
Canopy Area Acres:

**Nitrogen Applied (lbs)**

Month	Bulk	Dry	Liquid	Irrigation Water	Monthly Subtotal
January					
February					
March					
April					
May					
June					
July					
August					
September					
October					
November					
December					
<b>Subtotal</b>					

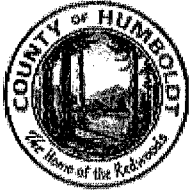
**Total Annual Nitrogen Applied (lbs) =**

## 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.

<b>Referral Agency</b>	<b>Response</b>	<b>Recommendation</b>	<b>Location</b>
Building Inspection Division	✓	Conditional approval	<b>Attached</b>
Division Environmental Health	✓	Conditional approval	<b>Attached</b>
Public Works, Land Use Division	✓	Conditional approval	<b>Attached</b>
CAL FIRE		No response	
California Department of Fish & Wildlife		No response	<b>Attached</b> – Planning staff request for comments
Northwest Information Center	✓	Further study	On file and confidential
Bear River Band of the Rohnerville Rancheria	✓	Comments	On file and confidential
Intertribal Sinkyone Wilderness Council		No response	
Regional Water Quality Control Board		No response	
Southern Humboldt JT Unified School District		No response	
Humboldt County Sheriff		No response	
Humboldt County Agricultural Commissioner		No response	
Humboldt County District Attorney		No response	
North Coast Unified Air Quality Management District		No response	
North Coast Regional Water Quality Control Board		No response	
State Water Resources Control Board – Division of Water Rights		No response	
Telegraph Ridge Volunteer Fire Protection District		No response	



HUMBOLDT COUNTY  
PLANNING AND BUILDING DEPARTMENT  
CURRENT PLANNING DIVISION  
3015 H STREET, EUREKA, CA 95501 ~ PHONE (707) 445-7541

5/31/2018

**PROJECT REFERRAL TO: Building Inspection Division**

**Project Referred To The Following Agencies:**

Building Inspection Division, Public Works Land Use Division, Health and Human Services Environmental Health Division, County Counsel, CalFire, California Department of Fish And Wildlife, Northwest Information Center, Bear River Band Rohnerville Rancheria, Regional Water Quality Control Board, North Coast Unified Air Quality Management District, Humboldt County District Attorney, Humboldt County Agriculture Commissioner, Intertribal Sinkiyone Wilderness Council, Sheriff, Southern Humboldt Joint Union School District, Telegraph Ridge Fire Protection District, SWRCB: Division of Water Rights

**Applicant Name** Canigou, Inc **Key Parcel Number** 108-012-008-000

**Application (APPS#)** 12085 **Assigned Planner** Cannabis Planner (CPOD) (707) 445-7541 **Case Number(s)** CUP16-533

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

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

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

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

**Return Response No Later Than 6/15/2018**

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

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

- ☐ Recommend Approval. The Department has no comment at this time.
- ☐ Recommend Conditional Approval. Suggested Conditions Attached.
- ☒ Applicant needs to submit additional information. List of items attached.
- ☐ Recommend Denial. Attach reasons for recommended denial.
- ☐ Other Comments: \_\_\_\_\_

DATE: 6/18/18

PRINT NAME: Rudy Mavenghi

108-012-008



**COUNTY OF HUMBOLDT**  
PLANNING AND BUILDING DEPARTMENT  
BUILDING DIVISION

3015 H STREET EUREKA CA 95501  
PHONE: (707) 445-7245 FAX: (707) 445-7446

## Building Division's Referral Comments for Cannabis Operations:

Application No.: 46747/12085  
Parcel No.: 108-012-008  
Case No.: CUP16-533

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

- ☐ Site/plot plan appears to be accurate.
- ☒ Submit revised site/plot plan showing all of the following items: all grading including ponds and roads, location of any water course including springs, all structure including size and use and all setbacks from the above stated to each other and property lines.
- ☐ Existing operation appears to have expanded, see comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- ☐ Existing structures used in the cannabis operation shall not to be used/occupied until all required permits have been obtained.
- ☐ Proposed new operation has already started.
- ☒ Recommend approval based on the condition that all required grading, building, plumbing electrical and mechanical permits and or Agricultural Exemption are obtained.
- ☒ Other Comments: Revise plot plan to show grow pots on north end of parcel as not there, the water bladder as to be decommissioned, correct soft of outdoor CA's (measuring outside perimeter), proposed drying shed as existing, nursery as propagation, (3) GH's an CA north of residence with ~~the~~ dimensions shown, ~~and~~ all grading on slopes of 15% or more and all grading over 50 cubic yards.

Name: Rudy Marengli

Date: 6/19/18

Note: Remember to take photographs and then save them to the Planning's case number. File location J, Current Planning, Projects, (CUP, SP, ZCC) Case number.



HUMBOLDT COUNTY  
PLANNING AND BUILDING DEPARTMENT  
CURRENT PLANNING DIVISION  
3015 H STREET, EUREKA, CA 95501 ~ PHONE (707) 445-7541

DEH received  
6-1-18

**PROJECT REFERRAL TO:** Health and Human Services Environmental  
Health Division

17/18-1952

**Project Referred To The Following Agencies:**

Building Inspection Division, Public Works Land Use Division, Health and Human Services Environmental Health Division, County Counsel, CalFire, California Department of Fish And Wildlife, Northwest Information Center, Bear River Band Rohnerville Rancheria, Regional Water Quality Control Board, North Coast Unified Air Quality Management District, Humboldt County District Attorney, Humboldt County Agriculture Commissioner, Intertribal Sinkiyone Wilderness Council, Sheriff, Southern Humboldt Joint Union School District, Telegraph Ridge Fire Protection District, SWRCB: Division of Water Rights

**Applicant Name** Soul Arc Solutions, Inc. **Key Parcel Number** 108-012-008-000

**Application (APPS#)** 12085 **Assigned Planner** Keenan Hilton (707) 268-3722 **Case Number(s)** CUP16-533

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

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

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

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

**Return Response No Later Than** Planning Commission Clerk  
County of Humboldt Planning and Building Department  
3015 H Street  
Eureka, CA 95501  
**E-mail:** PlanningClerk@co.humboldt.ca.us **Fax:** (707) 268-3792

**We have reviewed the above application and recommend the following:**

Conditional Approval

**DISTRIBUTED**  
9-12-18

**Comments:**

DEH recommends approval with the following conditions:

(1) **No processing can be approved** until an acceptable site suitability report can establish potential for onsite waste treatment system.

(2) **An invoice, or equivalent documentation, is provided to DEH** to confirm the continual use of portable toilets to serve the needs of cultivation staff prior to reissuance of annual permit.

\*This review and recommendation is for the Land Use aspects of the planning project and does not include or imply compliance with all DEH programs. Although DEH recommends the approval of the Planning project, Solid Waste and HazMat Program requirements need to be addressed directly with staff from those programs.





DEPARTMENT OF PUBLIC WORKS  
**COUNTY OF HUMBOLDT**

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

ARCATA-EUREKA AIRPORT TERMINAL  
McKINLEYVILLE  
FAX 839-3596

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

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

AVIATION 839-5401

ADMINISTRATION 445-7491  
BUSINESS 445-7652  
ENGINEERING 445-7377  
FACILITY MAINTENANCE 445-7493

NATURAL RESOURCES 445-7741  
NATURAL RESOURCES PLANNING 267-9540  
PARKS 445-7651  
ROADS & EQUIPMENT MAINTENANCE 445-7421

LAND USE 445-7205

**LAND USE DIVISION INTEROFFICE MEMORANDUM**

TO: Cliff Johnson, Senior Planner, Planning & Building Department

FROM: Kenneth M. Freed, Assistant Engineer *KMF*

DATE: 9-21-2018

RE:

Applicant Name	<i>Canigou</i>
APN	<i>108-012-008</i>
APPS#	<i>12085</i>
CASE#	<i>CUP16-533</i>

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



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



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



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



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

\*Note: Exhibits are attached as necessary.

Additional comments/notes:

Applicant has submitted a road evaluation report, dated 5 / 18 /2018, with Part A –Box 2 checked, certifying that the road is equivalent to a road Category 4 standard.

// END //



## Exhibit "A"

### Public Works Recommended Conditions of Approval

(All checked boxes apply)

APPS #

12085

☐ **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 WILDER RIDGE 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 //

**From:** [Meghan Ryan](#)  
**To:** ["O'connell, Gregory@Wildlife"; Michael D. Nelson](#)  
**Cc:** [Johnson, Cliff](#)  
**Subject:** APPS #12085 - Soul Arc Solutions, Inc. - APN: 108-012-008: PROJECTED HEARING DATE: AUGUST 5, 2021  
**Date:** Thursday, July 8, 2021 7:03:00 AM

---

Good morning, Greg and Michael – I hope you both are doing well. I am reviewing the Soul Arc Solutions project near Ettersburg and I did not see any response from CDFW in the project file. The project description is the following:

A Conditional Use Permit for 27,000 square feet of existing outdoor cannabis cultivation. Water for irrigation is sourced from a diversion of the Mattole River, and rainwater catchment, as well as a pond on an adjacent parcel (APN 108-012-009). Water is stored in 11 hard tanks (50,600 gallons), and a pond on the adjacent parcel (APN 108-012-009) (approximately 1,000,000 gallons) for a total of 1,050,600 gallons. Drying and curing would be completed on-site in a proposed 2,400-square-foot facility, with other processing (trimming) occurring off-site at a licensed facility. A maximum of four people would be on-site during peak operations. Electricity is sourced from generator power with solar power proposed.

Please let me know if you have any questions or comments regarding this project. I can provide additional documentation to assist in your review should you need it.

Best,  
Meghan



Meghan Ryan  
Planning Director  
LACO Associates  
Eureka | Ukiah | Santa Rosa | Chico  
*Advancing the quality of life for generations to come*  
707 443-5054  
<http://www.lacoassociates.com>

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