



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: **Green Wave Farms Conditional Use Permit**
Application Number 16842
Case Numbers PLN-2020-16842
Assessor's Parcel Number 204-091-012
1492 River Bar Road, Hydesville area

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Please contact Steven A. Santos, Senior Planner, at 707-268-3749 or by email at sasanots@co.humboldt.ca.us, if you have any questions about the scheduled public hearing item.

AGENDA ITEM TRANSMITTAL

Hearing Date	Subject	Contact
September 16, 2021	Conditional Use Permit	Steven A. Santos

Project Description: A Conditional Use Permit for 10,000 square feet of new mixed light cannabis cultivation in the Hydesville-Carlotta Community Planning Area. The project includes 1,000 square feet of ancillary propagation, a 2,500 square foot onsite processing facility, and 1,280 square feet for drying and storage in four, 320 square foot shipping containers. Annual water usage is estimated at 154,400 gallons and supplied by a combination of rainwater catchment, water recapture from dehumidifiers, and a proposed well. Total water storage is 47,000 gallons. The project will include up to nine employees at peak operation with electricity powered by PGE.

Project Location: This project is in Humboldt County, in the Hydesville area, on the northeast side of River Bar Road, approximately 3,700 feet west from the eastern terminus of River Bar Road, on the property known as 1492 River Bar Road.

Present Plan Land Use Designations: Agricultural Exclusive (AE), Density: Range is 20 to 60 acres per unit, Carlotta-Hydesville Community Plan (CHCP), 2017 General Plan, Slope Stability: Low Instability (1)

Present Zoning: Agriculture Exclusive (AE), Minimum building site area is 160 acres (B-5(160))

Record Number: PLN-2020-16842

Assessor's Parcel Number: 204-091-012

Applicant

Green Wave Farms, LLC
Cory Nunes
PO Box 325
Whitethorn, CA 95589

Owner

Cory Nunes
PO Box 1343
Ferndale CA 95536

Agents

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

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

Major Issues: None

Recommended Commission Action

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

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

Executive Summary: Applicant is seeking a Conditional Use Permit for 10,000 square feet of new mixed light cannabis cultivation in the Hydesville-Carlotta Community Planning Area. The project includes 1,000 square feet of ancillary propagation, a 2,500 square foot onsite processing facility, and 1,280 square feet for drying and storage in four, 320 square foot shipping containers. Annual water usage is estimated at 154,400 gallons and supplied by a combination of rainwater catchment, water recapture from dehumidifiers, and a proposed well. Total water storage is 47,000 gallons. The project will include up to nine employees at peak operation with electricity powered by PGE. Applicant will purchase carbon offsets to meet the renewable energy performance standard. Project area does not contain any significant biological or cultural resources. Though access from River Bar Road is not an equivalent category 4, a licensed engineer certifies the road can accommodate anticipated traffic. The required construction of a turnout recommended by Public Works will also mitigate access concerns. The project parcel is located within a FEMA mapped 100-year flood zone, so the project is conditioned to comply with the Humboldt Flood Damage Prevention Ordinance. Applicant has obtained a setback waiver from the undeveloped parcel to the north, APN 204-091-008 to reduce the required 270-foot setback.

Water Resources

The 154,400 gallons annual water budget is comprised of 44,000 gallons from rainwater, 75,300 gallons from water recapture from dehumidifiers, and 35,100 gallons from a proposed well. The water budget, including the ancillary nursery, translates to 14.03 gallons per square foot. Prior to initiating cultivation operations, the applicant must demonstrate that the proposed well is not connected to a waterbody (Conditions of Approval A4 and A5). If the applicant is unable to demonstrate the well is disconnected, they are required to either reduce the water budget to 119,300 gallons annually or replace the water with an eligible water source. There is also an existing well on the property that will not be used in the cannabis operation. The project operations plan states that drip irrigation methods will be used to conserve water and water meters installed to track and monitor use. Water storage consists of two, 22,000-gallon rainwater catchment tanks and three 1,000-gallon dehumidifier recapture tanks for a total of 47,000 gallons.

The project was referred to the Division of Environmental Health which recommend approval with conditions. Applicant must obtain a permit for, and install, an approved onsite wastewater treatment system to support the processing location. Additionally, applicant must install approved septic systems or provide portable toilets to cultivation areas (Condition of Approval A8). Additionally, the project is located within the FEMA mapped 100-year flood zone and must comply with the Humboldt Flood Damage Prevention Ordinance. The project is conditioned to require removal of temporary structures between October 16 and April 15 and to obtain flood elevation certificates for all remaining structures with a nexus to the cannabis project. (Condition of Approval B4).

Biological Resources

A Biological Assessment (Assessment) dated December 16, 2020, was prepared by Timberland Resource Consultants and a Floristic Survey Report (Survey) dated May 29, 2021, was prepared by Wildland Restoration and Botanical Services. The Assessment concluded that no sensitive natural communities or watercourses occur within the project area. The Assessment further notes that the project area does not house any potential habitat for special status wildlife such as the Northern Spotted Owl except for marginal bee and nesting bird habitat. Invasive plant species were also observed on the parcel. The assessment makes four recommendations related to nesting bird and bee surveys as well as invasive species management which are incorporated as conditions of approval. The Survey found no occurrence of special status plants in the project area.

Energy

Electricity is sourced from PGE and per the project operations plan, carbon offsets shall be purchased. Applicant must adhere to the Performance Standards for Energy Use in the CCLUO (HCC 314-55.12.5) and the project is conditioned as such. Per the operations plan, no generator will be used for any purpose associated with the cannabis operation.

Noise

A noise study dated June 23, 2021, was prepared by Timberland Resource Consultants. The study provided ambient noise thresholds per HCC 314-55.4.12.6 for the three property lines most likely to experience impacts due to adjacent uses. The noise standards are described in the conditions of approval.

Access

The project parcel is accessed from River Bar Road which connects to State Highway 36. A road evaluation conducted by a licensed engineer dated December 12, 2017, indicates that the entire River Bar Road segment is not developed to the equivalent of a road category 4 or better. However, additional analysis by the engineer in the road evaluation states the roadway can accommodate the cumulative increased traffic from the project.

The project was referred to the Department of Public Works which recommended approval with conditions. Among the recommended conditions is the construction of a turnout at mile post +/- 1.7. The turnout is described in Exhibit B of the referral response and incorporated as Condition of Approval A11. The project was also referred to the Fortuna Fire Department which recommended approval with conditions all of which have been incorporated into the conditions of approval.

Tribal Consultation

The project is in the Wiyot Tribe and Bear River Band of Rohnerville Rancheria aboriginal territories. The project was referred to the respective tribes and to the Northwest Information Center. A Cultural Resources Investigation dated August 2017 was prepared by William Rich and Associates and concluded that no significant archeological or historic-period cultural resources exists in the project area. The Bear River Band recommended standard inadvertent archaeological discovery protocol which has been incorporated into the conditions of approval.

Environmental Review and Staff Recommendation

Environmental review for this project was conducted and based on the results of that analysis, staff concludes that all aspects of the project have been considered in a previously adopted Environmental Impact Report adopted for the Commercial Cannabis Land Use Ordinance. An addendum to the Environmental Impact Report has been prepared for consideration by the Planning Commission (Attachment 2).

Staff recommends that the Planning Commission all the required findings based on the evidence in the record and approve the application subject to the recommended conditions.

Alternatives: Several alternatives may be considered: 1) The Planning Commission could elect to add or delete conditions of approval; 2) The Planning Commission could deny approval of the requested permit(s) if it is unable to make all of the required findings. Planning staff is confident that the required findings can be made based on the submitted evidence and subject to the recommended conditions of approval. Consequently, planning staff does not recommend further consideration of these alternatives.

**RESOLUTION OF THE PLANNING COMMISSION
OF THE COUNTY OF HUMBOLDT
Resolution Number 21-
Record Number PLN-2020-16842
Assessor's Parcel Number: 240-091-012**

Resolution by the Planning Commission of the County of Humboldt certifying compliance with the California Environmental Quality Act and conditionally approving the Green Wave Farms, LLC, Conditional Use Permit.

WHEREAS, Green Wave Farms, LLC, submitted an application and evidence in support of approving a Conditional Use Permit for 10,000 square feet of new mixed light cannabis cultivation, 1,000 square feet of ancillary propagation, a 2,500 square foot onsite processing facility, and 1,280 square feet for drying and storage;

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

WHEREAS, the Humboldt County Planning Commission held a duly noticed public hearing on September 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 10,000 square feet of new mixed light cannabis cultivation in the Hydesville-Carlotta Community Planning Area. The project includes 1,000 square feet of ancillary propagation, a 2,500 square foot onsite processing facility, and 1,280 square feet for drying and storage in four, 320 square foot shipping containers. Annual water usage is estimated at 154,400 gallons and supplied by a combination of rainwater catchment, water recapture from dehumidifiers, and a proposed well. Total water storage is 47,000 gallons. The project will include up to nine employees at peak operation with electricity powered by PGE.

EVIDENCE: a) Project File: PLN-2020-16842

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

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

- c) A Biological Assessment (Assessment) dated December 16, 2020, was prepared by Timberland Resource Consultants and a Floristic Survey Report (Survey) dated May 29, 2021, was prepared by Wildland Restoration and Botanical Services. The Assessment concluded that no sensitive natural communities or watercourses occur within the project area. The Survey found no occurrence of special status plants in the project area.
- d) A Cultural Resources Investigation dated August 2017 was prepared by William Rich and Associates and concluded that no significant archeological or historic-period cultural resources exists in the project area. The Bear River Band recommended standard inadvertent archaeological discovery protocol.
- e) A road evaluation by an engineer states the roadway can accommodate the cumulative increased traffic from the project. Additional mitigation in the form of a turnout as recommended by Public Works is incorporated into the project.

FINDINGS FOR CONDITIONAL USE PERMIT

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

EVIDENCE

- a) General agriculture is a use type permitted in the Agricultural Exclusive (AE) land use designation. The proposed cannabis cultivation, an agricultural product, is within land planned and zoned for agricultural purposes, consistent with the use of Open Space land for managed production of resources. The use of an agricultural parcel for commercial agriculture is consistent with the Open Space Plan and Open Space Action Program. Therefore, the project is consistent with and complimentary to the Open Space Plan and its Open Space Action Program.
- b) The project location is within a 100-year flood zone and has been conditioned to remove temporary structures during the flood season and to obtain flood elevation certificates for permanent structures with a nexus to cannabis.

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

EVIDENCE

- a) The Agriculture Exclusive or AE Zone is intended to be applied to areas of the County in which agriculture uses are the desirable predominant uses.
- b) All general agricultural uses are principally permitted in the AE zone.

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

EVIDENCE

- a) The CCLUO (HCC 314-55.4.6) allows new cannabis cultivation in areas zoned AE (Agriculture Exclusive). Additionally, new cultivation is allowed in a community planning area with a Conditional Use Permit.
- b) A Notice of Application was mailed to all properties within 1,000 feet of the

subject parcel on May 24, 2021, per Section 314-55.4.5.1.4(b) HCC. No comments were received from the public.

- c) The parcel was created in compliance with all applicable state and local subdivision regulations because it qualifies for a Certificate of Compliance pursuant to section 66499.35 of the Subdivision Map through a 1959 creation deed 546-425.
- d) The project will obtain water from a non-diversionary water source.
- e) The slope of the land where cannabis will be cultivated is less than 15%
- f) The cultivation of cannabis will not result in the net conversion of timberland. No known timberland conversion is associated with the modification.
- g) The location of the cultivation complies with all setbacks required in Section 314-55.4.6.4.4. (a.-f.). It is more than 30 from any property line, more than 300 feet from any off-site residence, more than 600 feet from any school, church, public park, or Tribal Cultural Resource. Applicant has obtained a setback waiver from the undeveloped parcel to the north, APN 204-091-008 to reduce the required 270-foot setback.
- h) Power will be provided by PGE along with the purchase of carbon offset credits.
- i) The access road has been evaluated by an engineer and been certified to accommodate anticipated traffic and will include the construction of a new turnout.
- j) The project will not emit light pollution through the implementation of measures described in the operations plan.

6. FINDING

The cultivation and appurtenant uses and conditions under which it may be operated or maintained will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity.

EVIDENCE

- a) The site is located on road that has been evaluated to safely accommodate the amount of traffic generated by the proposed cannabis cultivation.
- b) The site is in a rural part of the County where the typical parcel size varies. 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 sites are more than 300 feet from the nearest off-site residence and 270 feet from the nearest undeveloped parcel or has obtained the necessary setback waiver from adjoining owners.
- d) Irrigation water will come from a groundwater well and rainwater catchment and dehumidifier recapture in accordance with necessary permits and standards.

- e) Provisions have been made in the applicant's proposal to protect water quality and thus runoff to adjacent property and infiltration of water to groundwater resources will not be affected.

7. FINDING

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

EVIDENCE

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

DECISION

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

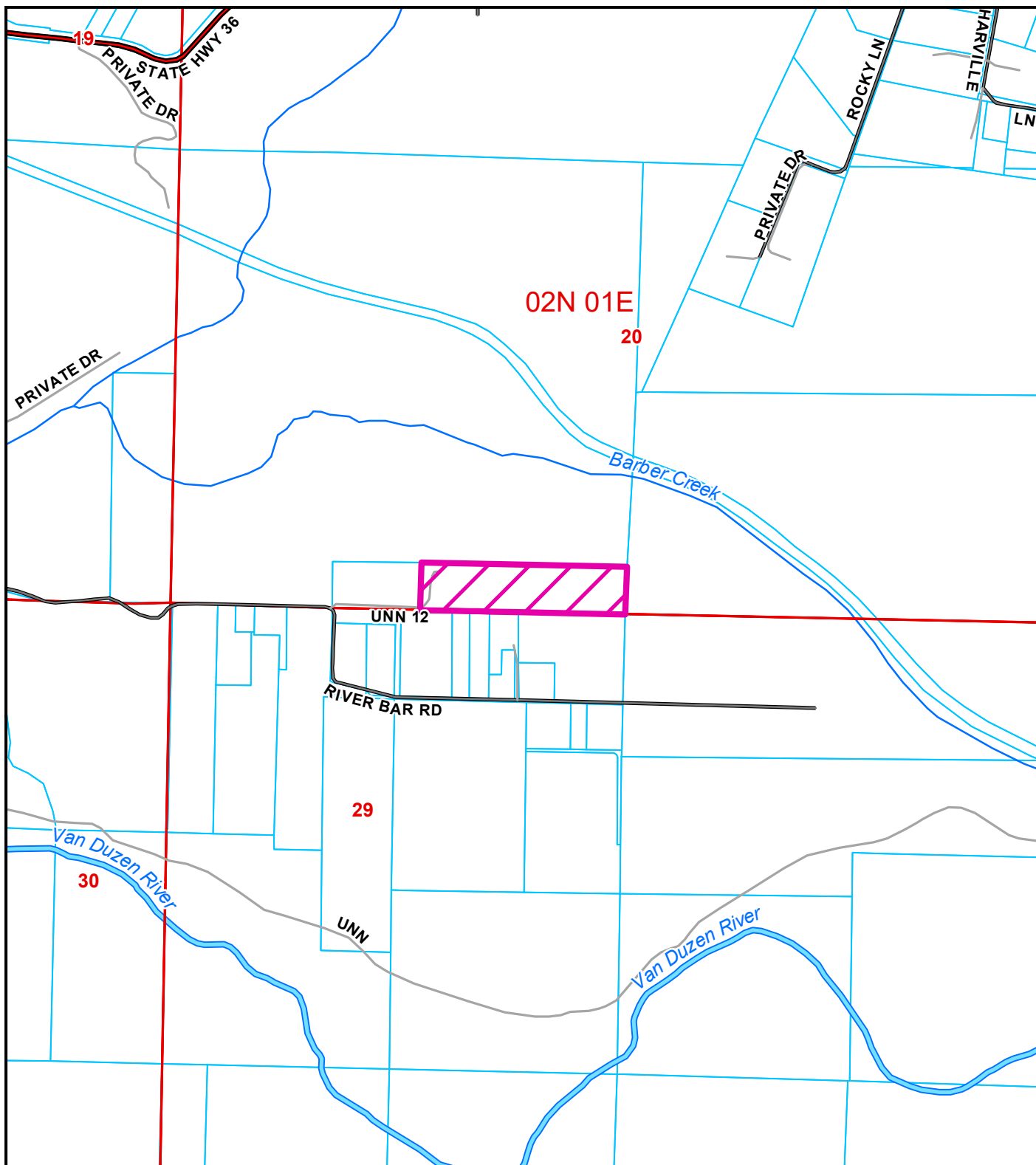
- Adopt the findings set forth in this resolution; and
- Conditionally approves the Conditional Use Permit for Green Wave Farms, LLC, based upon the Findings and Evidence and subject to the conditions of approval attached hereto as Attachment 1 and incorporated herein by reference; and

Adopted after review and consideration of all the evidence on September 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:	

John Ford, Director
Planning and Building Department



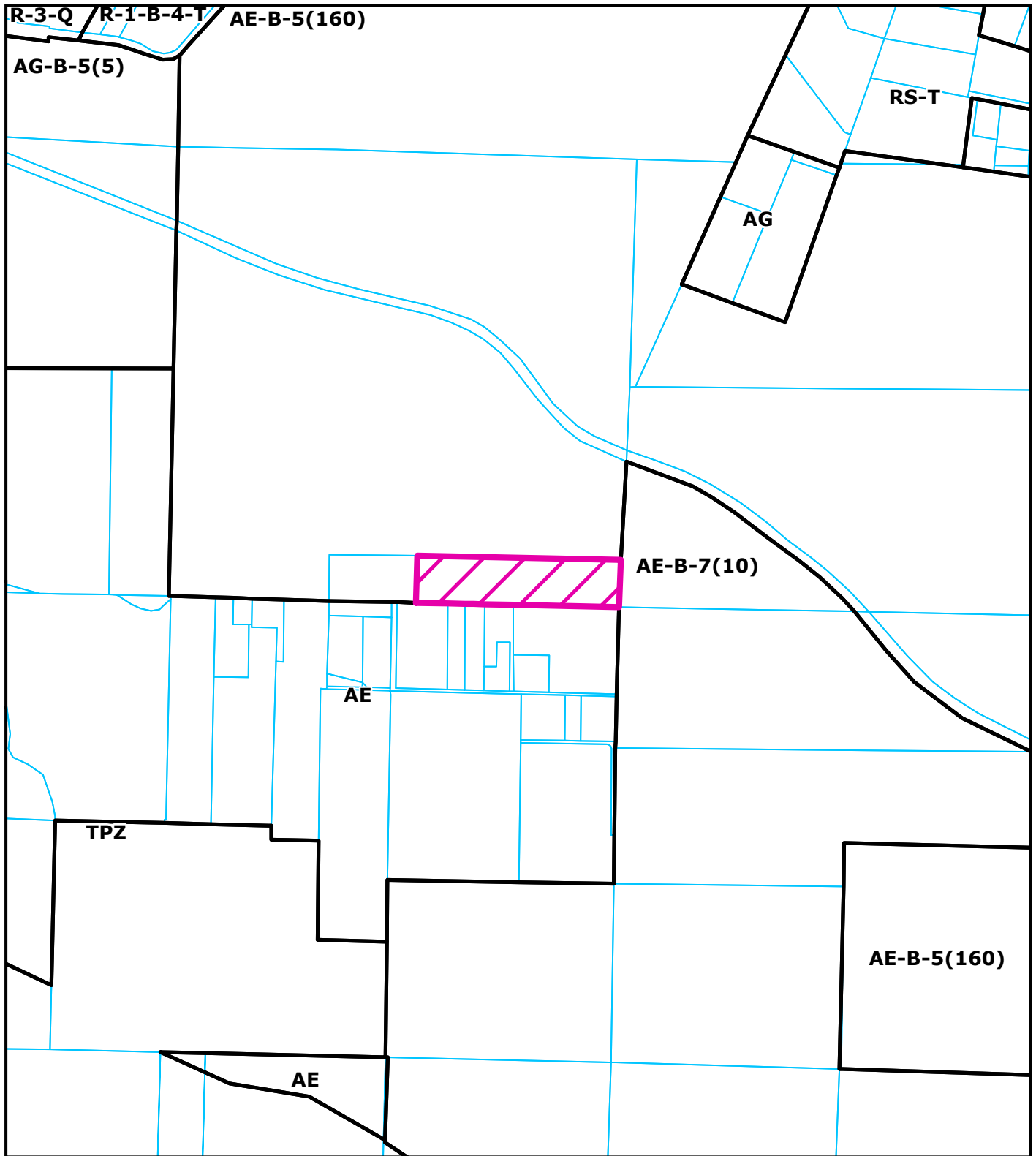
Project Area = 

TOPO MAP
PROPOSED GREEN WAVE FARMS LLC
HYDESVILLE AREA
PLN-2020-16842
APN: 204-091-012
T02N R01E S20 HB&M (HYDESVILLE)

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

0 1,000 2,000 Feet





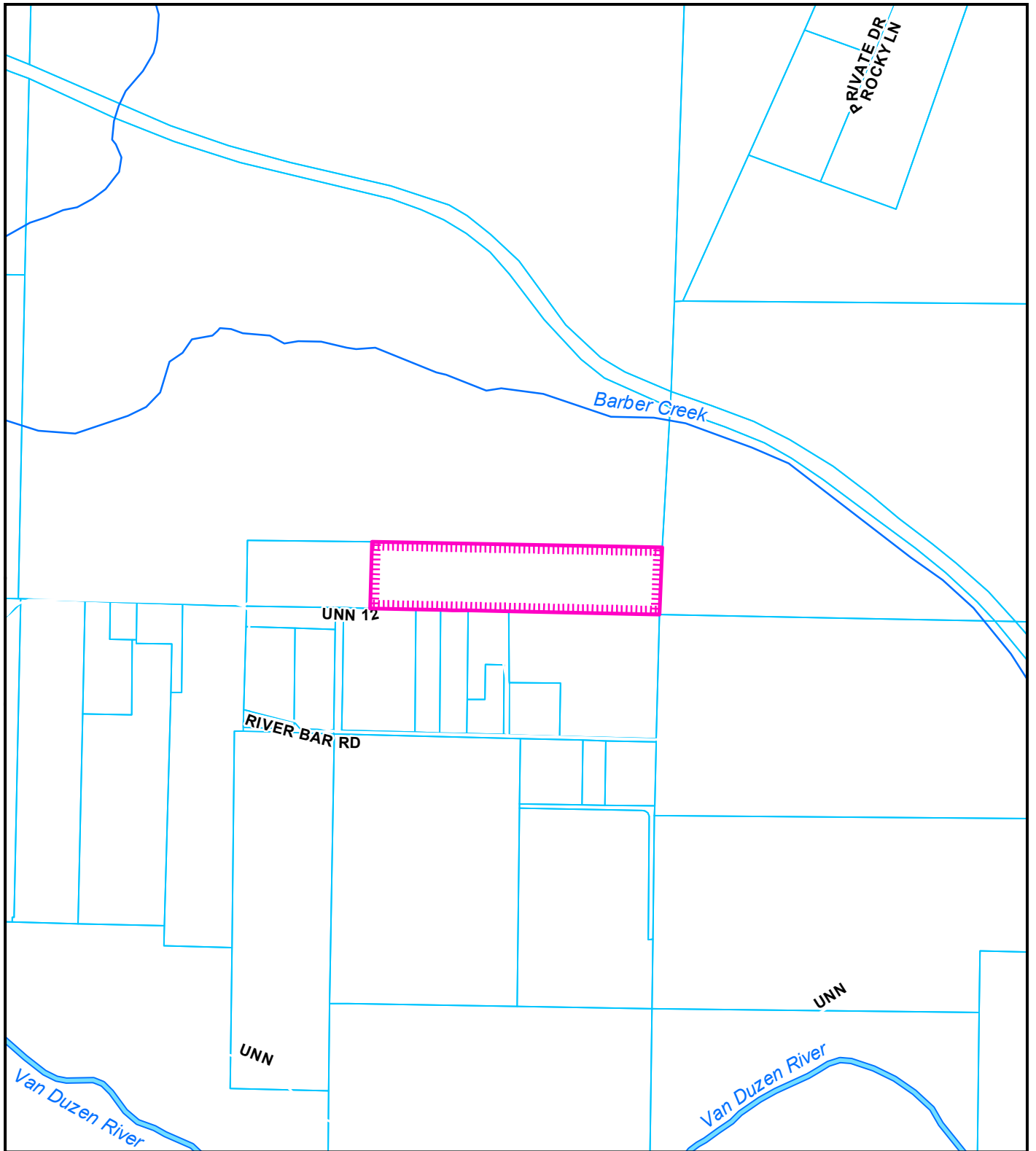
Project Area = 

**ZONING MAP
PROPOSED GREEN WAVE FARMS LLC
HYDEVILLE AREA
PLN-2020-16842
APN: 204-091-012
T02N R01E S20 HB&M (HYDEVILLE)**

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

0 1,000 2,000 Feet






Project Area = 

AERIAL MAP
PROPOSED GREEN WAVE FARMS LLC
HYDESVILLE AREA
PLN-2020-16842
APN: 204-091-012
T02N R01E S20 HB&M (HYDESVILLE)

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

0 700 1,400 Feet



RELIFE OF DOCUMENTS: This document and the ideas and designs incorporated herein, are an instrument of professional service to the clients of Hushbaldt Goodhue Wadsworth and shall not be copied in whole or part for any other project without express written authorization.



1. ALL LOCATIONS ARE APPROXIMATE. NO SURVEY WAS CONDUCTED FOR THIS PROJECT.
2. PROPERTY LINES ARE APPROXIMATE.
3. CONTOURS SHOWN HEREON ARE FROM NOAA 2018-2019 WADRE SHAPE FILES.
4. IMAGE SHOWN HEREON IS FROM Bing.
5. NO TREES WILL BE REMOVED FOR THIS PROJECT.
6. NO SCHOOLS OR CHURCHES WITHIN 600

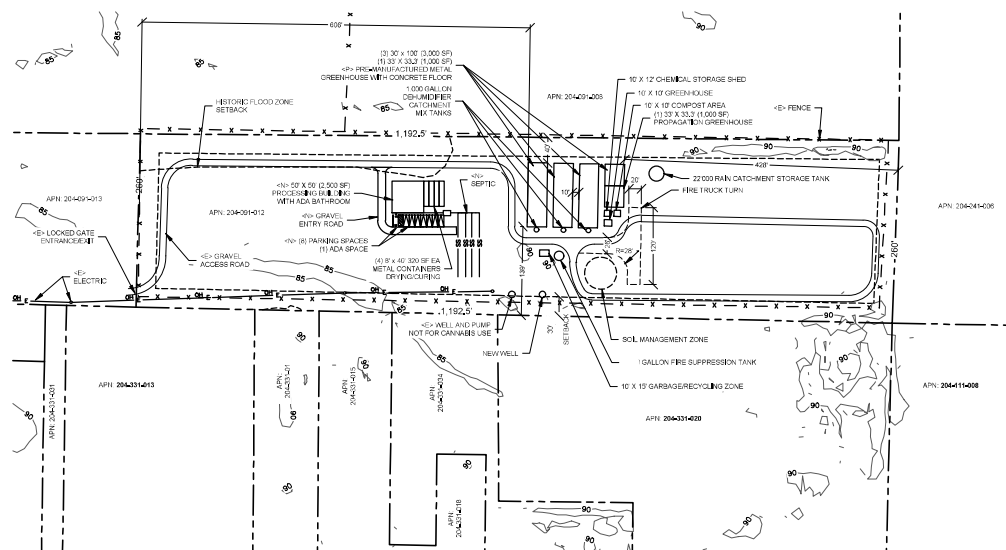
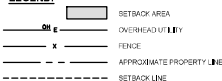
OWNER INFORMATION:

OWNER: COREY NUN
PHONE: 707-569-0524

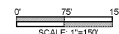
SITE INFORMATION:

7.3 ACRES
ZONING: A-1, B, E, F, G, H, I, J, K, L, M, N, O, P, Q, R, S, T, U, V, W, X, Y, Z, AA, AB, AC, AD, AE, AF, AG, AH, AI, AJ, AK, AL, AM, AN, AO, AP, AQ, AR, AS, AT, AU, AV, AW, AX, AY, AZ, BA, BB, BC, BD, BE, BF, BG, BH, BI, BJ, BK, BL, BM, BN, BO, BP, BQ, BR, BS, BT, BU, BV, BW, BX, BY, BZ, CA, CB, CC, CD, CE, CF, CG, CH, CI, CJ, CK, CL, CM, CN, CO, CP, CQ, CR, CS, CT, CU, CV, CW, CX, CY, CZ, DA, DB, DC, DD, DE, DF, DG, DH, DI, DJ, DK, DL, DM, DN, DO, DP, DQ, DR, DS, DT, DU, DV, DW, DX, DY, DZ, EA, EB, EC, ED, EE, EF, EG, EH, EI, EJ, EK, EL, EM, EN, EO, EP, EQ, ER, ES, ET, EU, EV, EW, EX, EY, EZ, FA, FB, FC, FD, FE, FF, FG, FH, FI, FJ, FK, FL, FM, FN, FO, FP, FQ, FR, FS, FT, FU, FV, FW, FX, FY, FZ, GA, GB, GC, GD, GE, GF, GG, GH, GI, GJ, GK, GL, GM, GN, GO, GP, GQ, GR, GS, GT, GU, GV, GW, GX, GY, GZ, HA, HB, HC, HD, HE, HF, HG, HH, HI, HJ, HK, HL, HM, HN, HO, HP, HQ, HR, HS, HT, HU, HV, HW, HX, HY, HZ, IA, IB, IC, ID, IE, IF, IG, IH, II, IJ, IK, IL, IM, IN, IO, IP, IQ, IR, IS, IT, IU, IV, IW, IX, IY, IZ, JA, JB, JC, JD, JE, JF, JG, JH, JI, JJ, JK, JL, JM, JN, JO, JP, JQ, JR, JS, JT, JU, JV, JW, JX, JY, JZ, KA, KB, KC, KD, KE, KF, KG, KH, KI, KJ, KK, KL, KM, KN, KO, KP, KQ, KR, KS, KT, KU, KV, KW, KX, KY, KZ, LA, LB, LC, LD, LE, LF, LG, LH, LI, LJ, LK, LL, LM, LN, LO, LP, LQ, LR, LS, LT, LU, LV, LW, LX, LY, LZ, MA, MB, MC, MD, ME, MF, MG, MH, MI, MJ, MK, ML, MM, MN, MO, MP, MQ, MR, MS, MT, MU, MV, MW, MX, MY, MZ, NA, NB, NC, ND, NE, NF, NG, NH, NI, NJ, NK, NL, NM, NN, NO, NP, NQ, NR, NS, NT, NU, NV, NW, NX, NY, NZ, OA, OB, OC, OD, OE, OF, OG, OH, OI, OJ, OK, OL, OM, ON, OO, OP, OQ, OR, OS, OT, OU, OV, OW, OX, OY, OZ, PA, PB, PC, PD, PE, PF, PG, PH, PI, PJ, PK, PL, PM, PN, PO, PP, PQ, PR, PS, PT, PU, PV, PW, PX, PY, PZ, QA, QB, QC, QD, QE, QF, QG, QH, QI, QJ, QK, QL, QM, QN, QO, QP, QQ, QR, QS, QT, QU, QV, QW, QX, QY, QZ, RA, RB, RC, RD, RE, RF, RG, RH, RI, RJ, RK, RL, RM, RN, RO, RP, RQ, RR, RS, RT, RU, RV, RW, RX, RY, RZ, SA, SB, SC, SD, SE, SF, SG, SH, SI, SJ, SK, SL, SM, SN, SO, SP, SQ, SR, SS, ST, SU, SV, SW, SX, SY, SZ, TA, TB, TC, TD, TE, TF, TG, TH, TI, TJ, TK, TL, TM, TN, TO, TP, TQ, TR, TS, TT, TU, TV, TW, TX, TY, TZ, UA, UB, UC, UD, UE, UF, UG, UH, UI, UJ, UK, UL, UM, UN, UO, UP, UQ, UR, US, UT, UU, UV, UW, UX, UY, UZ, VA, VB, VC, VD, VE, VF, VG, VH, VI, VJ, VK, VL, VM, VN, VO, VP, VQ, VR, VS, VT, VU, VV, VW, VX, VY, VZ, WA, WB, WC, WD, WE, WF, WG, WH, WI, WJ, WK, WL, WM, WN, WO, WP, WQ, WR, WS, WT, WU, WV, WW, WX, WY, WZ, XA, XB, XC, XD, XE, XF, XG, XH, XI, XJ, XK, XL, XM, XN, XO, XP, XQ, XR, XS, XT, XU, XV, XW, XX, XY, XZ, YA, YB, YC, YD, YE, YF, YG, YH, YI, YJ, YK, YL, YM, YN, YO, YP, YQ, YR, YS, YT, YU, YV, YW, YX, YY, YZ, ZA, ZB, ZC, ZD, ZE, ZF, ZG, ZH, ZI, ZJ, ZK, ZL, ZM, ZN, ZO, ZP, ZQ, ZR, ZS, ZT, ZU, ZV, ZW, ZX, ZY, ZZ

LEGEND:



PLAN
SCALE: 1"=10'



SCALE: 1"=15'

[illegible]

GREEN WAVE FARMS, LLC
1492 RIVER BAR RD
HYDESVILLE, CA 95547
PLOT PLAN
APN'S: 204-091-012

DRAWN	JDI
CHECK	NV
APPROVED	NV
DATE	9/25/202
JOB NUMBER	9.25.202
SHEET	C01

G0.1

ATTACHMENT 1

RECOMMENDED CONDITIONS OF APPROVAL

APPROVAL OF THE CONDITIONAL USE PERMIT IS CONDITIONED ON THE FOLLOWING TERMS AND REQUIREMENTS:

A. Conditions which must be satisfied before the cannabis operations may be initiated.

1. Provide an invasive species management plan for review and approval by the Planning and Building Department.
2. Provide an addendum to the Soils Management Plan section of the Operations Plan to include an annual estimate on the annual import and/or export of soil.
3. Provide an addendum to the Employee Standards section of the Operations Plan describing employee safety practices.
4. Prior to commencing operations, the applicant must provide sufficient documentation to the Planning and Building Department regarding the development of a groundwater well for cannabis irrigation. Specifically, the applicant must:
 - a. Provide a copy of a well permit from the Division of Environmental Health; and
 - b. Provide analysis and conclusions prepared by a qualified professional demonstrating the well is not connected to a waterbody.
5. If the applicant is unable to demonstrate the proposed cannabis irrigation well described in item 5 above is disconnected from a waterbody, the applicant must revise the project to either reduce their water budget accordingly or rely on an eligible water source such as rainwater catchment. Depending on the scope of the project revision, an application for a permit modification may be required
6. Prior to conducting any trimming or packaging onsite, the applicant shall secure any required permits and ensure the structure supporting the trimming or packaging meets the appropriate commercial occupancy standards.
7. Per the recommendations on page 3 of the Biological Assessment, the following surveys must be conducted during the following times of year for certain activities:
 - a. Prior to any ground disturbance or construction occurring between February 1 to July 31 a nesting raptor survey must be performed first and ensure there will be no impacts to nesting raptors.
 - b. Prior to removing any shrub vegetation occurring between February 1 and August 31 a nesting bird survey must be performed and ensure there will be no impacts to nesting birds
 - c. Prior to any ground disturbance during any time of year a survey for bee nests must be performed and ensure there will be no impact bee species.
8. Prior to conducting any trimming or packaging activities in the processing building applicant must obtain a permit for, and install, an approved onsite wastewater treatment system to support the processing location. Additionally, prior to initiating cultivation operations, applicant must install approved septic systems or provide portable toilets to cultivation areas.
9. Applicant must demonstrate conformance with the Performance Standards for Energy Use in the CCLUO (HCC 314-55.12.5). Specifically, purchase of carbon offset credits (for grid power procured from non-renewable producers) may only be made from reputable sources, including those found on Offset Project Registries managed the California Air Resources Board, or similar sources and programs determined to provide bona fide offsets recognized by relevant state regulatory agencies.

10. Per the recommendations of the Fortuna Fire Protection District the applicant must:
 - a. Install a Knox key switch at all entry gates
 - b. Improve or certify incoming road off of River Bar Road to be a minimum category 2 (APN 204-091-013)
 - c. Improve or certify access road to APN 204-091-012 to be minimum category 1
 - d. Construct one turnout on access road after entrance into 204-091-012
 - e. Construct one fire truck turn-a-round at the terminus of driveway to processing building or at 90-degree bend near parking area.
 - f. Construct a 5,000-gallon water tank dedicated to fire suppression. Location of tank must be coordinated with and approved by the Fortuna Fire Protection District.
 - g. Display address number at entrance off River Bar Road and at entrance to parcel 204-091-012. Placement and format of address number must be coordinate with and approved by the Fortuna Fire Protection District.
11. Per Exhibit A of the recommendations from Public Works these conditions 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. 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.
 - b. Applicant must apply for and obtain an encroachment permit from 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 minimum width of 18 feet and a length of 50 feet (or to break in slope) where it intersects the County road.
 - c. All driveways and private road intersections onto the County Road shall be maintained in accordance with County Code Section 341-1 (Sight Visibility Ordinance).
 - d. Construct the turnout on River Bar Road as described and recommended in Exhibit B of the Public Works Referral.
12. 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. General Conditions

1. 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 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.
3. A Notice of Determination will be prepared and filed with the County Clerk for this project in accordance with the State CEQA Guidelines. Within three days of the effective date of permit approval, the Department will file the Notice of Determination and will charge this cost to the project.

4. Temporary structure(s) associated with the cannabis operation will be removed between October 16 and April 15 of each year. The applicant will obtain flood elevation certificates for all permanent structures with a nexus to the cannabis operation. The applicant shall comply with the Humboldt Flood Damage Prevention Ordinance.
5. The applicant shall install monitoring device(s) on each source (well, rainwater catchment, and dehumidifier recapture tanks). Applicant shall maintain water usage logs from each source for the life of the project and make logs available for inspection upon request.
6. 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 to keep the permit valid.

C. 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 exceed more than three decibels above ambient noise as measured in the June 23, 2021, noise evaluation. Specifically, noise may not exceed:
 - a. 41.7 dBA at the eastern property line;
 - b. 40.7 dBA at the southern property line; or
 - c. 38.2 dbA at the western property line.

2. 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.

3. The applicant shall adhere to the Invasive Species and Soils Management Plan for the life of the project.
4. Should the Humboldt County Planning Division receive complaints that the lighting or noise is not complying with the standards listed above 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.
5. Per the operations plan, no generator will be used for any purpose associated with the cannabis operation.
6. Prohibition on use of synthetic netting. To minimize the risk of wildlife entrapment, Permittee shall not use any erosion control materials that contain synthetic (e.g., plastic or nylon) netting, including photo- or biodegradable plastic netting. Geotextiles, fiber rolls, and other erosion control measures shall be made of loose-weave mesh, such as jute, hemp, coconut (coir) fiber, or other products without welded weaves.

7. All refuse shall be contained in wildlife proof storage containers, at all times, and disposed of at an authorized waste management facility.
8. Should any wildlife be encountered during work activities, the wildlife shall not be disturbed and be allowed to leave the work site unharmed.
9. The use of anticoagulant rodenticide is prohibited.
10. 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.
11. 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.
12. Cannabis cultivation and other commercial cannabis activity shall be conducted in compliance with all laws and regulations as set forth in the CCLUO as applicable to the permit type.
13. 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.
14. 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.
15. 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).
16. Maintain enrollment in Tier 1 or 2 certification with State Water Resources Control Board Order WQ 2019-0001-DWQ, if applicable, or any substantially equivalent rule that may be subsequently adopted by the County of Humboldt or other responsible agency.
17. 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).
18. 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.

19. 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).
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 Business and Professions Code section 26051.5(a)(8), an applicant seeking a cultivation license shall "provide a statement declaring the applicant is an 'agricultural employer,' as defined in the Alatorre-Zenovich-Dunlap-Berman Agricultural Labor Relations Act of 1975 (Part 3.5 commencing with Section 1140) of Division 2 of the Labor Code), to the extent not prohibited by law."
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 Permit. Any Commercial Cannabis Cultivation permit issued pursuant to the CMMLUO or CCLUO shall expire one (1) year after date of issuance, and on the anniversary date of such issuance each year thereafter, unless an annual compliance inspection has been conducted and the permittees and the permitted site have been found to comply with all conditions of approval.
31. Inspections. 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 Permit, immediately upon the expiration of any appeal period, or final determination of the appeal if an appeal has been timely filed.
32. 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.
33. 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.
34. 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.

35. 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. Applicant is advised that County maintained roads may generate dust and other impacts to farm(s). Applicant shall locate their farm(s) in areas not subject to these impacts. Applicant shall be responsible for protecting their farm(s) against these impacts. Applicant shall hold the County harmless from these impacts. Applicant is advised that a paved road may not always remain paved and Applicant shall locate their farms appropriately. Applicant is advised that the amount of traffic on a road will vary over time which may increase or decrease the impacts.

ATTACHMENT 2

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

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

APN 204-091-012; 1492 River Bar Road, in the Hydesville area, County of Humboldt

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

September 2021

Background

Modified Project Description and Project History –

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

The modified project involves a Conditional Use Permit for 10,000 square feet of new mixed light cannabis cultivation in the Hydesville-Carlotta Community Planning Area. The project includes 1,000 square feet of ancillary propagation, a 2,500 square foot onsite processing facility, and 1,280 square feet for drying and storage in four, 320 square foot shipping containers. Annual water usage is estimated at 154,400 gallons and supplied by a combination of rainwater catchment, water recapture from dehumidifiers, and a proposed well. Total water storage is 47,000 gallons. The project will include up to nine employees at peak operation with electricity powered by PGE.

A Biological Assessment (Assessment) dated December 16, 2020, was prepared by Timberland Resource Consultants and a Floristic Survey Report (Survey) dated May 29, 2021, was prepared by Wildland Restoration and Botanical Services. The Assessment concluded that no sensitive natural communities or watercourses occur within the project area. The Survey found no occurrence of special status plants in the project area. A Cultural Resources Investigation dated August 2017 was prepared by William Rich and Associates and concluded that no significant archeological or historic-period cultural resources exists in the project area. The Bear River Band recommended standard inadvertent archaeological discovery protocol.

The modified project will comply with provision of the CCLUO intended to eliminate impacts to sensitive species from noise and from light. Compliance with these and other measures of the CCLUO ensure consistency with the EIR.

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

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

Summary of Significant Project Effects and Mitigation Recommended

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

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

- Operations Plan and Plot Plan for Green Wave Farms, LLC
- County GIS
- Noise Evaluation dated June 23, 2021, prepared by Timberland Resource Consultants.
- Biological Assessment dated December 16, 2020, prepared by Timberland Resource Consultants
- Floristic Survey Report dated May 29, 2021, prepared by Wildland Restoration and Botanical Services.
- A Cultural Resources Investigation dated August 2017 prepared by William Rich and Associates
- A Road Evaluation dated July 15, 2017 prepared by a licensed engineer.

Other CEQA Considerations

Staff suggests no changes for the revised project.

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

See **Purpose** statement above.

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

FINDINGS

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

CONCLUSION

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

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

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. **(On file – Application Form)**
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 with project Maps)**
4. A cultivation and operations plan that meets or exceeds minimum legal standards for water storage, conservation and use; drainage, runoff and erosion control; watershed and habitat protection; proper storage of fertilizers, pesticides, and other regulated products to be used on the parcel; and a description of cultivation activities (outdoor, indoor, mixed light), the approximate date(s) cannabis cultivation activities have been conducted on the parcel prior to the effective date of this ordinance, if applicable, and schedule of activities during each month of the growing and harvesting season. **(Attached)**
5. Copy of the statement of water diversion, or other permit, license or registration filed with the State Water Resources Control Board, Division of Water Rights, if applicable. **(Not applicable)**
6. Description of water source, storage, irrigation plan, and projected water usage. **(Attached in Cultivation Operations Plan)**
7. Copy of Notice of Applicability and Site Management Plan and other documents filed with the State Water Resources Control Board demonstrating enrollment in Tier 1 or 2 in accordance with State Water Resources Control Board Order WQ 2019-0001-DWQ, or any substantially equivalent rule that may be subsequently adopted by the County of Humboldt or other responsible agency. **(Not applicable – New cultivation and enrollment required in conditions of approval)**
8. If any on-site or off-site component of the cultivation facility, including access roads, water supply, grading or terracing, impacts the bed or bank of any stream or other watercourse, a copy of the Streambed Alteration Permit obtained from the California Department of Fish and Wildlife. **(Not applicable)**
9. If the source of water is a well, a copy of the County well permit, if available. **(Not applicable – Well is proposed and addressed in conditions of approval)**
10. If the parcel is zoned FR, U or TPZ, or involves the conversion of timberland as defined under Section 4526 of the Public Resources Code, a copy of a less-than-3-acre conversion exemption or timberland conversion permit, approved by the California Department of Forestry and Fire Protection (Cal Fire). Alternately, for existing operations occupying sites created through prior unauthorized conversion of timberland, evidence may be provided showing that the landowner

has completed a civil or criminal process and/or entered into a negotiated settlement with Cal Fire. **(Not applicable)**

11. Consent for on-site inspection of the parcel by County officials at prearranged date and time in consultation with the applicant prior to issuance of any clearance or permit, and once annually thereafter. **(On file)**
12. For indoor cultivation facilities, identify the source of electrical power and how it will meet with the energy requirements in Section 55.4.8.2.3, and plan for compliance with applicable building codes. **(Not applicable)**
13. Acknowledge that the County reserves the right to reduce the size of the area allowed for cultivation under any clearance or permit issued in accordance with this Section in the event that environmental conditions, such as a sustained drought or low flows in the watershed, will not support diversions for irrigation. **(On file)**
14. Acknowledge that the County reserves the right to engage with local tribes before consenting to the issuance of any clearance or permit, if cultivation operations occur within an Area of Traditional Tribal Cultural Affiliation, as defined herein. This process will follow current departmental referral protocol, including engagement with the tribe(s) through coordination with their Tribal Historic Preservation Officer (THPO) or other tribal representatives. This procedure shall be conducted similar to the protocols outlined under SB 18 (Burton) and AB 52 (Gatto), which describe "government to government" consultation, through tribal and local government officials and their designees. During this process, the tribe may request that operations associated with the clearance or permit be designed to avoid, minimize, or mitigate impacts to tribal cultural resources, as defined herein. Examples include, but are not limited to, conducting a site visit with the THPO or their designee to the existing or proposed cultivation site, requiring that a professional cultural resources survey be performed, or requiring that a tribal cultural monitor be retained during project-related ground disturbance within areas of sensitivity or concern. The County shall request that a records search be performed through the California Historical Resources Information System (CHRIS). **(On file)**
15. Road assessment. **(Attached)**
16. Division of Environmental Health Attachment for Commercial Medical Marijuana Clearances/ Permits (DEH Form). **(On file)**
17. Noise evaluation **(On file)**

Operations Plan

Cultivation Plan

- Overview
 - Zoning Clearance Certificate for 10,000 sq. ft. of Mixed-Light Cultivation
- Description
 - This is an application for New Cultivation totaling 10,000 Sq. Ft. of Mixed-Light Cultivation, 1,000 Sq. Ft. of Propagation Cultivation and 4-8 ft by 40 ft shipping containers for drying and product storage purposes and a 2,500 Sq. Ft. Processing Facility with ADA restroom and septic system for ancillary use. Cultivation shall occur in greenhouses with light deprivation systems and utilizing on-grid power provided by PG&E. This property totals 7.3 acres and is zoned AE.
- Cultivation Activities
 - Propagation
 - Applicant will use this area to maintain mother plants, produce clones and seed development. This activity shall use on-grid power for the lights and utilize dep covers to ensure compliance with Dark Sky Standards.
 - Greenhouse
 - Applicant will harvest two runs annually in enclosed greenhouses. Plants shall be sourced from the propagation area. Supplemental lighting will be used to assist with vegetative growth using on-grid power. Greenhouses will be covered with dep tarps to ensure compliance with Dark Sky Standards.

Planting Schedule	
Jan	Mother stock propagation and clone development
Feb	Clone starts go into small pots for vegetative growth
March	Teens planted into each greenhouse for veg
April	Each greenhouse covered to promote flowering
May	Flower production
June	Flower production and harvest
July	Teens planted into each greenhouse for veg
Aug	Each greenhouse covered to promote flowering
Sept	Flower production
Oct	Flower production and harvest
Nov	develop new mother stock and seed production
Dec	winterize and prepare site for spring

- Lighting
 - LED Lights will be used in this project.
- Environmental Controls
 - Greenhouses will have fans to promote airflow and will have minimal noise impacts.
 - Dehumidifiers will be used to reduce humidity in greenhouses.
- Record Keeping
 - Records shall be maintained on-site and available for inspection by agencies as relevant.

Water Source, Storage Plan, Irrigation Plan, and Estimated Use (Monthly and Annually; in Gallons)

- Water Usage
 - Water Source
 - Multiple water sources shall be used in this project. Rainwater catchment and dehumidifier capture shall provide a majority of the water necessary. Applicant shall stay within the means provided by those sources until the well is developed.
 - Dehumidifiers will capture 250 gallons of water daily into 3-1,000 gallon tanks at the end of greenhouses. Totaling **72,500** gallons annually
 - Applicant shall develop a 180 ft. well as a condition of approval once testing and analysis are completed.
 - The well will sever the hydrological connection to Carlotta 1.
 - The well shall cross an impermeable layer into Carlotta 2.
 - This assessment will be verified once the well is installed by Fisch Drilling
 - Water Storage
 - Water shall be stored in 2-22,000 gallon raincatchment tanks.
 - Each greenhouse will have an associated 1,000 gallon tank for dehumidifier water capture and nutrient mixing.
 - Water Conservation and Use
 - Applicant shall use drip irrigation to reduce the water needed for the project activities. Water meters shall be installed to track and monitor water use.
 - Annual water use shall total approximately 154,400 gallons according to the following table:

Month	10,000 sq ft GH	Rain Catchment 44k gallon tank storage	Dehum Capture in 3-1k capture/mixing tanks	Deep non- diversionary Well
Jan 16- Feb 15	4,000	0	4,000	0
Feb 16 - Mar 15	4,000	0	4,000	0
Mar 16 - Apr 15	19,200	0	7,500	11,700
Apr 16 - May 15	19,200	11,000	8,200	0
May 16- June 15	19,200	11,000	8,200	0
June 16- July 15	19,200	11,000	8,200	0
July 16 - Aug 15	19,200	11,000	8,200	0
Aug 16 - Sept 15	19,200	0	7,500	11,700
Sept 16 - Oct 15	19,200	0	7,500	11,700
Oct 16 - Nov 15	4,000	0	4,000	0
Nov 16 - Dec 15	4,000	0	4,000	0
Dec 16 - Jan 15	4,000	0	4,000	0
Totals	154,400	44,000	75,300	35,100

- Water Rights and Diversion
 - An LSAA is not required for this project.
- Site Drainage and Erosion Control
 - The site is located on relatively flat ground and the cultivation site is located far away from any waterways. Applicant shall implement all protective measures as identified in the Site Management Plan.
- Watershed and Habitat Protection
 - This project is in the Lower Eel River Watershed and on balance the Cannabis activity shall reduce the historic water uses for the parcel and will enhance the watershed.

Summary of Specific Measures for Compliance with SWRCB Order (New and Pre-Existing Unpermitted Sites)

- Applicant will enroll in the State Waterboard Order and comply with the standards.
Stormwater Management Plan
- Stormwater shall be mitigated by the proper implementation of the Site Management Plan
Invasive Species Control Plan

- Applicant shall maintain the grounds of the property to ensure potential invasive species are not allowed to infest the property.

Materials Management Plan

- Cannabis waste materials will be composted on-site and mixed with landscape materials to ensure their decomposition.
- Materials that require disposal will be bagged up and transferred to eel river recology in Fortuna.

Hazardous Waste Statement/Site Assessments

- Storage: A shed shall be used for chemical storage
 - Nutrients
 - Various organic nutrients shall be used for this project sourced from Flora Flex Organica.
 - Pesticides
 - No pesticides shall be used on this site.
 - Pest management shall be done by State approved chemicals for Cannabis.
 - Cleaning Chemicals
 - Basic cleaning materials: Bleach, Soap and alcohol shall be used in this project.
 - Flammable Materials
 - No flammable materials shall be stored in the immediate vicinity of the project area.
 - Any flammable materials shall be properly stored in containers and measures shall be taken to ensure any potential for spillage is mitigated by the use of a liner in the storage area.
 - Protective Equipment
 - Proper protective equipment shall be provided and made available according to SDS standards.
- Safety Data Sheets
 - SDS binder shall be maintained and kept on-site for employee access.

Sewage Disposal Plan

- Portable toilets serviced according appropriate schedule will be used until the processing facility is built in compliance of current building standards.
- ADA restrooms shall be available in the developed building for employee use.

Soils Management Plan

- Used soils shall be located in the soil management area for amendment and reuse.
- Soil will be imported for cultivation use and will remain onsite.
- Used soils will be mixed with native soils and adapted for reuse.
- Soil area shall have waddles installed around perimeter to ensure no discharge to the waters of the State.
- Soil pile shall be covered by a tarp to limit potential for movement.

Processing Plan

- Harvesting
 - Harvesting shall be done by hand and will be moved into storage containers for drying.
 - Once processing facility is built, all harvesting shall be located in this building.
- Drying/Curing
 - Drying shall occur on-site in 4- Ag Exempt storage containers and will be dried for 7-10 days.
 - All plants shall be tracked according to Metrc requirements.
- Processing
 - Processing shall occur on-site in proposed 2,500 Sq. Ft. building. Applicant shall primarily use trim machines to limit need for additional employees.

Parking Plan

- Applicant shall install a paved parking lot for adequate parking for employees and staff.
- 9 parking spaces are planned.
 - 4 for employee use
 - 1 for ADA use as necessary
 - 2 for owners
 - 2 for regulators as necessary

Employee Standards

- This project shall use five (5) minimum employees up to nine (9) maximum.
- Employee Safety Practices
 - Labor duties would vary throughout the harvesting, drying, processing and packaging stages of the operation. With each task, an analysis will be conducted to identify potential hazards associated with a task, including weather conditions, the physical aptitude of employees, tools utilized and

potential exposure to chemicals and other substances. Identification of these hazards is intended to mitigate potential job hazards and help ensure employee adherence to safety practices.

Toilet and Handwashing Facilities

- The Project site provides employees with access to the following facilities/resources within reasonable proximity to work areas:
 - Hand washing facilities are located adjacent to work areas.
 - Onsite potable water is provided for employee use.
 - Restroom facilities
 - Site has septic which can handle employee needs and is fed from onsite trailer until new building can be built.
 - Portable restrooms are currently located onsite and serviced as needed.

Drinking Water for Employees

- The Project site provides employees with access to bottled drinking water in the work areas.

Energy Plan

- All power needs for the project shall be primarily sourced from PG&E.
- Applicant shall work with PG&E to ensure offsets of carbon footprint for project.
- Applicant shall develop renewable power options in the future.

Security Plan

- Site Security
 - The site has one main access gate which remains locked.
 - The site is surrounded by a fence to keep out intruders.
 - Applicant shall install security cameras to monitor the site.

Noise Source Assessments and Mitigation Plan

- No generators are proposed for this project and any fans etc. shall generate minimal noise.
- Applicant shall take all necessary measures to ensure noise is limited to the site boundaries.
- Assessment performed by TRC establishing baseline and proposed activity will be below baseline.

Light Pollution Control Plan

- Applicant shall install automatic light dep covers to cover greenhouses between dusk and dawn to ensure no light leakage occurs.
- Applicant shall comply with Dark Sky Standards

Water

Water Source Documentation

- Water is sourced from a new 180 ft. well.
- Well Report will be provided once developed.
- Existing well will not be used for cannabis cultivation.
 - Existing well is pre-1974.
 - Existing well may be used for other agricultural activities on the site including animal and crop production.
 - Additionally existing well will be used for domestic uses.

Small Parcel Well Testing Information

- Will be completed once new well is installed.

Services

Onsite Wastewater Treatment System Information and Documentation

- Porto-Potty until septic developed.

Will Serve Letter from Water/Wastewater Service Provider

- N/A

Biological and Botanical

Biological and Botanical Reconnaissance Survey for Special Status Species and Sensitive Habitat

- Prepared by TRC and finds no biological resources shall be impacted by this project.
- Project area is disturbed for Ag uses historically.
- Seasonally appropriate floristic survey confirms no sensitive species are present in project area.

Invasive Species Management Plan

- Site inspection to identify and remove invasive species.
- Proper site maintenance to reduce the incidence of invasive species.
- Limitations on transportation of items which may give rise to invasive species.

Roads

Road System Assessment

- Road evaluation performed by A.M.Baird.

Draft list of improvements – Functional Capacity

- Measures taken to reduce traffic on roads
 - Hours of operation to utilize workers outside peak road traffic times
 - Employees will come to site at 6am and leave the site at 3pm to reduce the impacts to the road system.
 - A second shift shall arrive at the site at 2pm and leave at 9pm as necessary.
 - Employees will carpool to further limit impacts to road systems.

Other

Plan for Public Accommodations

- Site shall not be open to the public.

Plan for Adaptive Reuse of Site

- Cleaning site with history of Ag uses.

Archaeological, Paleontological, Tribal Cultural Resource Survey Prepared By Qualified Archaeologist

Survey for Historical Resources

- Archaeological Study has been performed for this site.
- No cultural resources identified on the parcel.

CEQA Initial Study

- This project is exempt from CEQA according to the Humboldt County MND

HUMBOLDT COUNTY DEPARTMENT OF PUBLIC WORKS
ROAD EVALUATION REPORT

PART A: Part A may be completed by the applicant

Applicant Name: Hawk Valley LLC APN: 204-091-012

Planning & Building Department Case/File No.: CUP 16-161; APPS# 11141

Road Name: River Bar Road (complete a separate form for each road)

From Road (Cross street): HWY 36

To Road (Cross street): Site Driveway- 1492 River Bar Road

Length of road segment: 1.3 miles Date Inspected: 12/12/17

Road is maintained by: ☒ County ☐ Other _____
(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.

Signature

Date

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.

PART B: Only complete Part B if Box 3 is checked in Part A. Part B is to be completed by a Civil Engineer licensed by the State of California. Complete a separate form for each road.

Road Name: River Bar Road Date Inspected: 12/12/17 APN: 204-091-012
From Road: HWY 36 (Post Mile 1.62) Planning & Building
To Road: 1492 River Bar Road (Post Mile 1.3) Department Case/File No.:
CUP 16-161 APP# 11141

1. What is the Average Daily Traffic (ADT) of the road (including other known cannabis projects)?

Number of other known cannabis projects included in ADT calculations:
(Contact the Planning & Building Department for information on other nearby projects.) 4

ADT: <25 Residences Date(s) measured: 12/12/17

Method used to measure ADT: ☐ Counters ☒ Estimated using ITE Trip Generation Book

Is the ADT of the road less than 400? ☒ Yes ☐ No

If YES, then the road is considered very low volume and shall comply with the design standards outlined in the American Association of State Highway and Transportation Officials (AASHTO) *Guidelines for Geometric Design of Very Low-Volume Local Roads (ADT ≤ 400)*. Complete sections 2 and 3 below.

If NO, then the road shall be reviewed per the applicable policies for the design of local roads and streets presented in AASHTO *A Policy on Geometric Design of Highways and Streets*, commonly known as the "Green Book". Complete section 3 below.

2. Identify site specific safety problems with the road that include, but are not limited to: (Refer to Chapter 3 in AASHTO *Guidelines for Geometric Design of Very Low-Volume Local Roads (ADT ≤ 400)* for guidance.)

A. Pattern of curve related crashes.

Check one: ☒ No. ☐ Yes, see attached sheet for Post Mile (PM) locations.

B. Physical evidence of curve problems such as skid marks, scarred trees, or scarred utility poles

Check one: ☒ No. ☐ Yes, see attached sheet for PM locations.

C. Substantial edge rutting or encroachment.

Check one: ☒ No. ☐ Yes, see attached sheet for PM locations.

D. History of complaints from residents or law enforcement.

Check one: ☒ No. ☐ Yes (☐ check if written documentation is attached)

E. Measured or known speed substantially higher than the design speed of the road (20+ MPH higher)

Check one: ☒ No. ☐ Yes.

F. Need for turn-outs.

Check one: ☒ No. ☐ Yes, see attached sheet for PM locations.

3. Conclusions/Recommendations per AASHTO. Check one:

☒ The roadway can accommodate the cumulative increased traffic from this project and all known cannabis projects identified above. **Excellent Visibility Along Entire Road

☐ The roadway can accommodate the cumulative increased traffic from this project and all known cannabis projects identified above, if the recommendations on the attached report are done. (☐ check if a Neighborhood Traffic Management Plan is also required and is attached.)

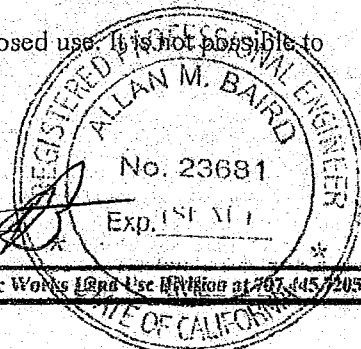
☐ The roadway cannot accommodate increased traffic from the proposed use. It is not possible to address increased traffic.

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

Signature of Civil Engineer

Date

7-15-17



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.

ATTACHMENT 4

REFERRAL AGENCY COMMENTS AND RECOMMENDATIONS

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

Referral Agency	Response	Recommendation	Location
Ag Commissioner		No Response	
Building Inspection Division		No Response	
County Counsel		No Response	
Humboldt County District Attorney		No Response	
Division Environmental Health	✓	Conditional Approval	On File
Humboldt County Sheriff	✓	Approval	On File
Public Works, Land Use Division	✓	Conditional Approval	Attached
Fire Protection District	✓	Conditional Approval	Attached
North Coast Unified Air Quality Management District		No Response	
School District		No Response	
State Water Resources Control Board – Division of Water Rights		No Response	
State Water Resources Control Board – Division of Water Resources		No Response	
California Department of Fish & Wildlife		No Response	
CalFIRE	✓	No Comment	On File
CalTrans		No Response	
North Coast Regional Water Quality Control Board		No Response	
Bear River Band	✓	Conditional Approval	On File (Confidential)
Wiyot Tribe		No Response	
Northwest Information Center	✓	Further Study	On File (Confidential)
PGE		No Response	



DEPARTMENT OF PUBLIC WORKS
C O U N T Y O F H U M B O L D T
MAILING ADDRESS: 1106 SECOND STREET, EUREKA, CA 95501-0579
AREA CODE 707

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

PUBLIC WORKS BUILDING
SECOND & L ST., EUREKA
FAX 445-7409
ADMINISTRATION 445-7491
BUSINESS 445-7652
ENGINEERING 445-7377
FACILITY MANAGEMENT 445-7493

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

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

LAND USE DIVISION INTEROFFICE MEMORANDUM

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

FROM: Kenneth M. Freed, Assistant Engineer 

DATE: 05/28/2021

RE:

Applicant Name	GREEN WAVE FARMS
APN	204-091-012
APPS#	PLN-2020-16842

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 is provided on **Exhibit "B"**.
- ☐ Additional review is required by Planning & Building staff for the items on **Exhibit "C"**.
No re-refer is required.
- ☐ *Road Evaluation Reports(s)* are required; See **Exhibit "D"**.

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

No re-refer is required.

*Note: Exhibits are attached as necessary.

Additional comments/notes:

The Department has previously issued conditions on this location for multiple projects involving APN 204-091-012, and -013. See previously conditioned required improvements in Exhibit B. The Public Works Department requires a paved turnout as shown.

// END //

Exhibit "A"

Public Works Recommended Conditions of Approval

(All checked boxes apply)

APPS # 16842

☒ **COUNTY ROADS- PROXIMITY OF FARMS:**

Applicant is advised that County maintained roads may generate dust and other impacts to farm(s). Applicant shall locate their farm(s) in areas not subject to these impacts. Applicant shall be responsible for protecting their farm(s) against these impacts. Applicant shall hold the County harmless from these impacts. Applicant is advised that a paved road may not always remain paved and Applicant shall locate their farms appropriately. Applicant is advised that the amount of traffic on a road will vary over time which may increase or decrease the impacts.

☒ **COUNTY ROADS- FENCES & ENCROACHMENTS:**

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

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

☐ **COUNTY ROADS- DRIVEWAY (PART 1):**

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

☒ **COUNTY ROADS- DRIVEWAY (PART 2):**

Any existing or proposed driveways that will serve as access for the proposed project that connect to a county maintained road shall be improved to current standards for a commercial driveway. Applicant must apply for and obtain an encroachment permit from 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 (or to break in slope) where it intersects the County road.
- 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 where it intersects the County road.
- If the County road is an urban road, frontage improvements (curb, gutter, and sidewalk) shall also be constructed to the satisfaction of the Department. Any existing curb, gutter or sidewalk that is damaged shall be replaced.

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

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

☐ **COUNTY ROADS- DRIVEWAY (PART 3):**

The existing driveway will require substantial modification in order to comply with County Code. The applicant may wish to consider relocating the driveway apron if a more suitable location is available.

☐ **COUNTY ROADS-PARKING LOT- STORM WATER RUNOFF:**

Surfaced parking lots shall have an oil-water filtration system prior to discharge into any County maintained facility.

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

☒ **COUNTY ROADS- DRIVEWAY & PRIVATE ROAD INTERSECTION VISIBILITY:**

All driveways and private road intersections onto the County Road shall be maintained in accordance with County Code Section 341-1 (Sight Visibility Ordinance).

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

☐ **COUNTY ROADS- PRIVATE ROAD INTERSECTION: (AT COUNTY MAINTAINED RD)**

Any existing or proposed non-county maintained access roads that will serve as access for the proposed project that connect to a county maintained road shall be improved to current standards for a commercial driveway. Applicant must apply for and obtain an encroachment permit from the Department of Public Works prior to commencement of any work in the County maintained right of way. This also includes installing or replacing intersection culverts; minimum size is typically 18 inches.

- 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 (or break in slope) 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

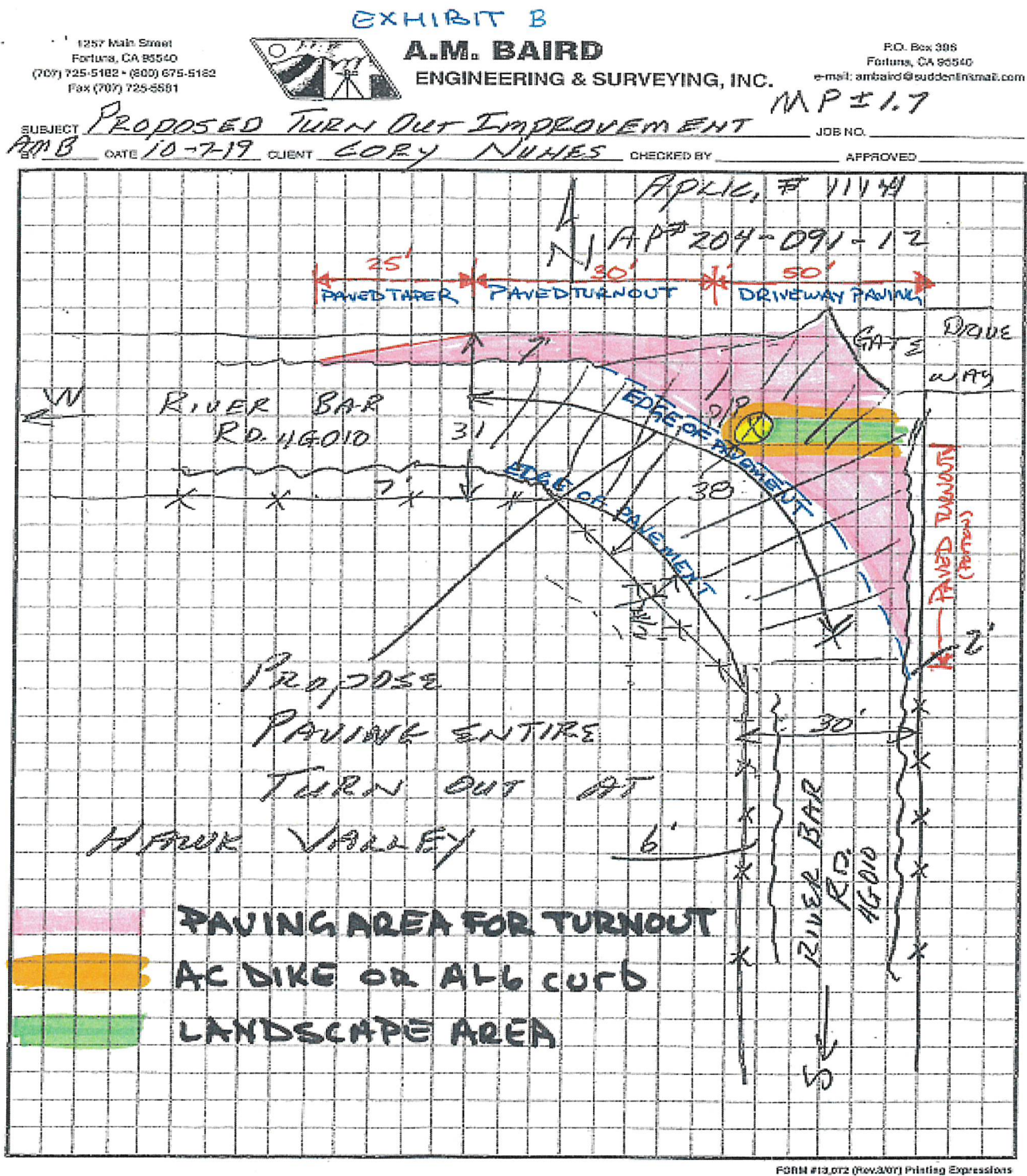
Exhibit "B"

Road Evaluation Reports

COUNTY ROAD- ROAD EVALUATION REPORT RESPONSE

On October 11, 2019, the Department received the road evaluation report Part B dated October 4, 2019 submitted by A.M. Baird Engineering & Surveying, Inc. The road evaluation included information on various projects along the road and a suggestion to help with cumulative increased traffic from this project and all known cannabis projects on the road. Construction of a turnout at the location shown in Exhibit B below was proposed to accommodate for the increased traffic.

The Department agrees with the location of the proposed turnout and has highlighted and dimensioned the turnout design submitted in Exhibit B to reflect the minimum requirements of the Department.



// END //



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



3/3/2021

Project Referred To The Following Agencies:

AG Commissioner, County Counsel, District Attorney, Environmental Health, Sheriff, PW Land Use, Building Inspections, FPD Fortuna, RWQCB, NCUAQMD, School District: Hydesville, Cal Fish & Wildlife, Division of Water Resources, CalFire, CalTrans Dist 1, CA Division of Water Rights, Bear River Band, NWIC, Wiyot Tribe, PGE

Applicant Name Green Wave Farms, LLC Key Parcel Number 204-091-012-000

Application (APPS#) PLN-2020-16842 Assigned Planner Elizabeth Moreno 707-268-3713

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: 3/18/2021

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

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

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

RECEIVED
3/5/2021

Other Comments: _____

DATE: 3-20-2021

PRINT NAME: John Wilson

FORTUNA FIRE PROTECTION DISTRICT
320 S. Fortuna Blvd.
Fortuna, Calif. 95540

-----FORTUNA FIRE PROTECTION DISTRICT-----

320 SO. FORTUNA BLVD. FORTUNA, CA. 95540
(707)725-5021

“At your service”

“This institution is an equal opportunity provider and employer”

March 20, 2021

Referral comments

Application PLN-2020-16842 – Green Wave Farms, LLC

Road and access requirements;

Knox key switch to be provided at both entry gates (parcel 204-091-013 & 204-091-012)

Incoming road off of River Bar Road to be minimum category 2

Parcel (204-091-012) access road to be minimum category 1

Minimum 1 turnout on access road prior to or near existing building

Additional fire truck turn-a-round at the terminus of driveway to processing building (or at 90 degree bend near parking area)

Water supply for fire suppression

Minimum of 5,000 gallon storage required

Location to be approved by fire department (may be in addition to proposed and/or proposed may be relocated)

Addressing

Address numbering will be required at entrance off of River Bar Road and at entrance to the parcel (204-091-012) – to be approved by fire department