

**Calculating Annual Average Water Consumption for GREENHOUSE Cannabis Cultivation @
Arcata Land Company, LLC
27th and Foster, Humboldt County
Exceptions to Applicants Environmental Submittals Water Management
Water Demand Analysis Application No 12255 Section 2.4**

Sirs:

Based on the applicants stated total of 52 acre-feet/year of total water demand, we do hereby take exception to the demand factors this applicant has provided for this project as follows:

- 1) For the purposes of this exercise, we are factoring a cannabis plants modestly assessed 2 gal/day water requirement when grown in a greenhouse. This value allows for an average consumption over the life of the plant. We will factor the area per plant water demand at 16 sq-ft per plant. This will account for a single mature flowering plant area calculation as well as multiple plants in that same area while in a vegetative state.
- 2) When completing CEQA applications the applicant will present the total sq-ft being considered for cultivation. As well as where the water will be coming from and how many gallons/day that operation will require. This will ultimately be converted into an acre-foot/year demand on whatever water supply will be feeding that applicant.

1 acre = 43,560 sq-ft

1 acre-foot = 325,851 gallons

- 3) Here is our project water demand analysis for a 22.9 acres/997,524 sq-ft project total:

997,524 sq-ft (Total Area) ÷ 16 sq-ft (per plant area) = 62,345 plants

62,345 (plants) x 2 gal/day water = 124,690 gal/day water

124,690 (gal/day) ÷ 325,851 (gal) = 0.38 acre-feet/day

Actual Water Use: 0.38 X 365 days = 138.7 acre-feet/year

Stated Water Use: 52 acre-feet/year (this represents a 91% difference between actual v stated values)

- 4) Finally, when we are left to consider the applicants **ANNUAL STATED PLANT WATER DEMAND**, we are left with extremely low daily water levels that no experienced cannabis farmer would offer as an honest value, relative to the water requirements based on the canopy size offered in their own CEQA project submittals (see attached).

STATED: 52 (acre-feet/year) x 325,851 (acre-foot:gal) = 16,944,252 (gal/year) ÷ 365 = 46,422 (gal/day)

997,524 (total sq-ft) ÷ 16 sq-ft (per plant area) = 62,345 (plants)

46,422 (gal/day) ÷ 62,345 (plants) = 0.74 gal/day/16 sq-ft area

Under this scenario it will take 1.3 days to accumulate 1 gal of water to feed a single 16 sq-ft area!

We would ask that this project not be approved unless the water demand calculations we've shown here are to be considered in the project's approval. These demands are realistic in terms of the plants uptake requirements but do not include water demand levels for any other use such as wash down, processing, etc. If the project is to be approved, we ask that the water be metered and electronically monitored so that if at any point during the year the applicant exceeds the stated 52 acre-feet demand, there will be a "suggested environmental tax" of \$5.00/gal of water consumed. If at any point during the year the project exceeds a 10% overage in demand the applicant must agree to shut down their operations for the remainder of that year.

The bottom line is we want, we need honest assessments of what these commercial cannabis facilities are going to do to our environment and adjoining industries if the ACTUAL water demands exceed the STATED demands. We rely on our government to assure us that these projections are accurate. As is currently the case, there is no penalty for an applicant who would understate their water demands in these applications. With the information we've provided herein, the ball is now squarely in your court to make certain these environmental conditions are accounted for.

Concerned Citizens



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT
CANNABIS SERVICES DIVISION

3015 H Street • Eureka CA 95501
Phone: (707) 445-7541 • Fax: (707) 268-3792
<http://www.humboldt.gov/156>

January 26, 2021

State Clearinghouse
1400 Tenth Street
PO Box 3044
Sacramento, CA 95812-3044

RE: Intent to Adopt a Mitigated Negative Declaration for the Arcata Land Company, LLC Commercial Cannabis Outdoor Light-Deprivation and Mixed-Light Cultivation Project Conditional Use Permit (CUP) for 22.9 acres of commercial cannabis cultivation and ancillary facilities.

This material is being submitted to the State Clearinghouse pursuant to California Administrative Code Section 15161.5. Said section requires public agencies to submit their Draft Environmental Impact reports and Negative Declarations to the State Clearinghouse for review by State Agencies having jurisdiction as Responsible Agency. The State Agencies known by Humboldt County to be Responsible Agencies for the referenced application are listed below.

The review period set by the Humboldt County Planning and building Department for review of the Negative Declaration is 30 days effective as of January 28, 2021. Comments may be submitted to the Humboldt County Planning and Building Department, 3015 H Street, Eureka, CA 95501 by February 26, 2021. The draft Mitigated Negative Declaration and Initial Study are available for review at the same location.

Sincerely,

Rodney Yandell
Senior Planner
Humboldt County Planning & Building

Responsible State Agencies: State Water Resources Control Board, California Department of Food and Agriculture, California Department of Fish and Wildlife.

Summary Form for Electronic Document Submittal

Form F

Lead agencies may include 15 hardcopies of this document when submitting electronic copies of Environmental Impact Reports, Negative Declarations, Mitigated Negative Declarations, or Notices of Preparation to the State Clearinghouse (SCH). The SCH also accepts other summaries, such as EIR Executive Summaries prepared pursuant to CEQA Guidelines Section 15123. Please include one copy of the Notice of Completion Form (NOC) with your submission and attach the summary to each electronic copy of the document.

SCH #: _____

Project Title: Arcata Land Company, LLC Commercial Cannabis Outdoor Light-Deprivation and Mixed-Light Cultivation

Lead Agency: Humboldt County Planning and Building Department

Contact Name: Rodney Yandell

Email: ryandell@co.humboldt.ca.us

Phone Number: 707-445-7541

Project Location: Arcata
City

Humboldt
County

Project Description (Proposed actions, location, and/or consequences).

The applicant requests approval of the following:

1. Conditional Use Permit (CUP) for 22.9 acres of commercial cannabis cultivation and ancillary facilities.

Identify the project's significant or potentially significant effects and briefly describe any proposed mitigation measures that would reduce or avoid that effect.

The Arcata Land Company, LLC Commercial Cannabis Outdoor Light-Deprivation and Mixed-Light Cultivation Project would result in potentially significant impacts, which are mitigated to less than significant:

- Biological Resources: (Bird surveys if vegetation removal within breeding season. Use standard BMPs during ground disturbance activities and remove construction debris and waste from and up to 100 feet around drainage ditches.)
- Cultural Resources, Geology and Soils, and Tribal Cultural Resources: (Inadvertent Discovery Protocol)

If applicable, describe any of the project's areas of controversy known to the Lead Agency, including issues raised by agencies and the public.

Provide a list of the responsible or trustee agencies for the project.

- California Department of Food and Agriculture.
- California State Water Resources Control Board
- California Department of Fish and Wildlife

Notice of Completion & Environmental Document Transmittal

Mail to: State Clearinghouse, P.O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613
 For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

SCH #

Project Title: Arcata Land Company, LLC Commercial Cannabis Outdoor Light-Deprivation and Mixed-Light Cultivation Project

Lead Agency: Humboldt County Planning and Building Department

Contact Person: Rodney Yandell

Mailing Address: 3015 H Street

Phone: 707-445-7541

City: Eureka

Zip: CA

County: Humboldt

Project Location: County: Humboldt

City/Nearest Community: Arcata

Cross Streets: Foster Avenue and Janes Road

Zip Code: 95521

Longitude/Latitude (degrees, minutes and seconds): 40 ° 53 ' 8.52 " N / -124 ° 6 ' 18.36 " W Total Acres: 38.3

Assessor's Parcel No.: 506-231-021 and 505-151-011

Section: 19, 20

Twp.: 06N

Range: 01E

Base: Humboldt

Within 2 Miles: State Hwy #: 101

Waterways: Liscom Slough

Airports: None

Railways: None

Schools: See Attachment 1

Document Type:

CEQA: ☐ NOP
☐ Early Cons
☐ Neg Dec
☒ Mit Neg Dec

☐ Draft EIR
☐ Supplement/Subsequent EIR
 (Prior SCH No.) _____
 Other: _____

NEPA: ☐ NOI
☐ EA
☐ Draft EIS
☐ FONSI

Other: ☐ Joint Document
☐ Final Document
☐ Other: _____

Local Action Type:

☐ General Plan Update
☐ General Plan Amendment
☐ General Plan Element
☐ Community Plan

☐ Specific Plan
☐ Master Plan
☐ Planned Unit Development
☐ Site Plan

☐ Rezone
☐ Prezone
☒ Use Permit
☐ Land Division (Subdivision, etc.)

☐ Annexation
☐ Redevelopment
☐ Coastal Permit
☐ Other: _____

Development Type:

☐ Residential: Units _____ Acres _____
☐ Office: Sq.ft. _____ Acres _____ Employees _____
☒ Commercial: Sq.ft. _____ Acres 32 Employees 116
☐ Industrial: Sq.ft. _____ Acres _____ Employees _____
☐ Educational: _____
☐ Recreational: _____
☐ Water Facilities: Type _____ MGD _____

☐ Transportation: Type _____
☐ Mining: Mineral _____
☐ Power: Type _____ MW
☐ Waste Treatment: Type _____ MGD
☐ Hazardous Waste: Type _____
☐ Other: Agriculture _____

Project Issues Discussed in Document:

☒ Aesthetic/Visual
☐ Agricultural Land
☒ Air Quality
☒ Archeological/Historical
☒ Biological Resources
☐ Coastal Zone
☒ Drainage/Absorption
☐ Economic/Jobs

☐ Fiscal
☒ Flood Plain/Flooding
☐ Forest Land/Fire Hazard
☐ Geologic/Seismic
☐ Minerals
☒ Noise
☐ Population/Housing Balance
☒ Public Services/Facilities

☐ Recreation/Parks
☐ Schools/Universities
☐ Septic Systems
☐ Sewer Capacity
☒ Soil Erosion/Compaction/Grading
☒ Solid Waste
☒ Toxic/Hazardous
☒ Traffic/Circulation

☒ Vegetation
☒ Water Quality
☒ Water Supply/Groundwater
☒ Wetland/Riparian
☐ Growth Inducement
☐ Land Use
☒ Cumulative Effects
☐ Other: _____

Present Land Use/Zoning/General Plan Designation:

Zoning: Heavy Industrial. General Plan: Agriculture Exclusive.

Project Description: (please use a separate page if necessary)

A Conditional Use Permit for 22.9 acres of new commercial cannabis cultivation. The Project includes a combination of outdoor light-deprivation cultivation (~75% of hoop structures or 17.2 acres) and mixed-light cultivation (~25% of hoop structures or 5.7 acres). The Project will also include ancillary support features, such as an administrative building (21,000 square feet), propagation and office building (39,500 square feet), utility building (1,600 square feet), new onsite wastewater treatment system, unpaved parking areas, security fencing, and storm water management features (e.g., detention basins). Preparation of the Site for the proposed development will require approximately 23,268 cubic yards of cut and 49,181 cubic yards of fill associated with onsite access road improvements, leveling of the Site with sand/soil in the areas of the hoop structures and walkways, installation of primary and reserve leach fields, and development of two storm water detention basins totaling approximately 0.8 acre-feet in storage size. The Project is anticipated to require up to 116 full-time equivalent employees at full buildout. The existing agricultural operation on the Site requires approximately 40 full-time equivalent employees, resulting in a net increase of approximately 76 full-time equivalent employees (at full buildout). The operation will be seasonal, with the majority of employees needed beginning in April (planting) and extending through the end of October (final harvest). An existing agricultural well will provide irrigation water for the Project, while an existing potable water supply line that serves the Site will be utilized to supply drinking water. Project employees will have access to permanent restrooms in the new administration and office building that will be served by a new private onsite wastewater treatment system for sewage disposal, in addition to temporary restrooms for Site employees during peak harvest periods.

Note: The State Clearinghouse will assign identification numbers for all new projects. If a SCH number already exists for a project (e.g. Notice of Preparation or previous draft document) please fill in.

Reviewing Agencies Checklist

Lead Agencies may recommend State Clearinghouse distribution by marking agencies below with and "X".
If you have already sent your document to the agency please denote that with an "S".

<input type="checkbox"/> Air Resources Board	<input type="checkbox"/> Office of Historic Preservation
<input type="checkbox"/> Boating & Waterways, Department of	<input type="checkbox"/> Office of Public School Construction
<input type="checkbox"/> California Emergency Management Agency	<input type="checkbox"/> Parks & Recreation, Department of
<input type="checkbox"/> California Highway Patrol	<input type="checkbox"/> Pesticide Regulation, Department of
<input type="checkbox"/> Caltrans District # _____	<input type="checkbox"/> Public Utilities Commission
<input type="checkbox"/> Caltrans Division of Aeronautics	<input type="checkbox"/> Regional WQCB # _____
<input type="checkbox"/> Caltrans Planning	<input type="checkbox"/> Resources Agency
<input type="checkbox"/> Central Valley Flood Protection Board	<input type="checkbox"/> Resources Recycling and Recovery, Department of
<input type="checkbox"/> Coachella Valley Mtns. Conservancy	<input type="checkbox"/> S.F. Bay Conservation & Development Comm.
<input type="checkbox"/> Coastal Commission	<input type="checkbox"/> San Gabriel & Lower L.A. Rivers & Mtns. Conservancy
<input type="checkbox"/> Colorado River Board	<input type="checkbox"/> San Joaquin River Conservancy
<input type="checkbox"/> Conservation, Department of	<input type="checkbox"/> Santa Monica Mtns. Conservancy
<input type="checkbox"/> Corrections, Department of	<input type="checkbox"/> State Lands Commission
<input type="checkbox"/> Delta Protection Commission	<input type="checkbox"/> SWRCB: Clean Water Grants
<input type="checkbox"/> Education, Department of	<input checked="" type="checkbox"/> SWRCB: Water Quality
<input type="checkbox"/> Energy Commission	<input type="checkbox"/> SWRCB: Water Rights
<input checked="" type="checkbox"/> Fish & Game Region # 1 _____	<input type="checkbox"/> Tahoe Regional Planning Agency
<input checked="" type="checkbox"/> Food & Agriculture, Department of	<input type="checkbox"/> Toxic Substances Control, Department of
<input type="checkbox"/> Forestry and Fire Protection, Department of	<input type="checkbox"/> Water Resources, Department of
<input type="checkbox"/> General Services, Department of	
<input type="checkbox"/> Health Services, Department of	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Housing & Community Development	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Native American Heritage Commission	

Local Public Review Period (to be filled in by lead agency)

Starting Date January 28, 2021 Ending Date February 26, 2021

Lead Agency (Complete if applicable):

Consulting Firm: <u>Lenders Construction Services, LLC</u>	Applicant: <u>Arcata Land Company, LLC</u>
Address: <u>PO Box 6218</u>	Address: <u>3318 Foster Avenue</u>
City/State/Zip: <u>Eureka, CA 95502</u>	City/State/Zip: <u>Arcata, CA 95521</u>
Contact: <u>Jeff Smith</u>	Phone: <u>707-826-8700</u>
Phone: <u>707-440-9098</u>	

Signature of Lead Agency Representative:  Date: 1/26/2021

Authority cited: Section 21083, Public Resources Code. Reference: Section 21161, Public Resources Code.

Attachment 1

Schools Within Two Miles of the Proposed Project

Six Rivers Montessori School

Strongbridge Montessori School

Laurel Tree Charter School

Pacific Union School

Trillium Charter School

Arcata Elementary School

Fuente Nueva Charter School

Mad River Montessori Preschool

Coastal Grove Charter School

Six Rivers Charter High School

Pacific Coast High School

Arcata High School

Northcoast Preparatory Academy

Stewart Elementary School

Northern Unified – Humboldt Charter School

Arcata Christian School

INITIAL STUDY AND DRAFT MITIGATED NEGATIVE DECLARATION

ARCATA LAND COMPANY, LLC

**COMMERCIAL CANNABIS OUTDOOR LIGHT-DEPRIVATION AND MIXED-LIGHT
CULTIVATION PROJECT**

APPLICATION No. 12255

Applicant:

Arcata Land Company LLC
3318 Foster Avenue
Arcata, CA 95521
Attn: Lane Devries

Lead Agency:

Humboldt County Planning & Building Department
3015 H Street
Eureka, CA 95501

January 2020

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1.0 INTRODUCTION

1.1 Project Title

Arcata Land Company, LLC Commercial Cannabis Outdoor Light-Deprivation and Mixed-Light Cultivation Project.

1.2 Lead Agency Name and Address

Lead Agency Name: Humboldt County Planning & Building Department
Lead Agency Address: 3015 H Street, Eureka, CA 95501
Contact Person: Rodney Yandell
Phone Number: 707-445-7541

1.3 Project Sponsor's Name and Address

Owner / Applicant:
Arcata Land Company, LLC
Attn: Lane Devries
3318 Foster Avenue
Arcata, CA 95521

Agent:
Lenders Construction Services, LLC
Attn: Jeff Smith
P.O. Box 6218
Eureka, CA 95502

Civil Engineer:
Wallace Group
Attn: Shannon Jessica, P.E.
612 Clarion Court
San Luis Obispo, CA 93401

Biologist:
SHN Consulting Engineers & Geologists
Attn: Gretchen O'Brien
812 W. Wabash Ave.
Eureka, CA 95501

1.4 Project Location

The Project is located between 27th Street and Foster Avenue, west of the City of Arcata, in an unincorporated area of Humboldt County, California. The Project is located in Section 19 of Township 06 North, Range 01 East, in the Arcata North 7.5-minute USGS quadrangle. The Project site is located outside of the Coastal Zone, but within the City of Arcata Planning Area Boundary. See Figure 1, Site and Vicinity Map.

1.5 Assessor Parcels, Ownership, Zoning, and General Plan Designations

The Project site's assessor parcel numbers, ownership, County zoning and County General Plan land use designations are shown in Table 1, below. Also, See Figure 2, Parcel and Zoning Map.

TABLE 1
ASSESSOR PARCELS, OWNERSHIP, ZONING AND GENERAL PLAN DESIGNATIONS

Current APN¹	Ownership	Zoning²	General Plan³
506-231-021	Arcata Land Company LLC	MH-Q	AE
505-151-011	Arcata Land Company LLC	MH-Q	AE

Notes:

1. Source: Humboldt County Assessor's Office and Humboldt County Web GIS, accessed May October 2020.
2. Source: Humboldt County Zoning Code, with verification thru Humboldt County Web GIS. MH = Heavy Industrial; Q = Qualified Combining Zone.
3. Source: Humboldt County General Plan, with verification thru Humboldt County Web GIS. AE = Agricultural Exclusive.

The Project parcels were the subject of a Lot Line Adjustment ("LLA") recorded on May 14, 2020 (See Appendix A, LLA Record of Survey Recorded Map)¹. The County assigned Assessor's Parcel Numbers in October 2020. The Project is located on one legal parcel and two tax parcels (See Appendix B, Certificate of Subdivision Compliance).

2.0 DESCRIPTION OF PROJECT

Arcata Land Company, LLC ("ALC") proposes to develop a commercial cannabis outdoor light-deprivation and mixed-light cultivation project on property located between 27th Street and Foster Avenue, west of the City of Arcata, in an unincorporated area of Humboldt County, California ("Project"). The Project involves commercial cannabis cultivation activities on Assessor's Parcel Numbers ("APNs") 506-231-021 and 505-151-011, which total approximately 38.2 acres ("Site"). The Site is zoned Heavy Industrial with a Qualified Combining Zone. The Project involves only cultivation, with processing to occur at an existing permitted processing, manufacturing, and distribution facility located on a contiguous parcel (APN 506-231-018). Existing land uses on the Site are agricultural, while historic activities consisted of heavy industrial operations in support of the former timber products mill site located on APN 506-231-018.

Cultivation will take place in four areas (geographic blocks) of the Site totaling approximately 22.9 acres. Area 1 (6.2 acres) consists of existing hoop structures located in the northwest quadrant of the Site that will be converted from flower production to cannabis. New hoop structures totaling approximately 16.7 acres will be constructed in the northeast quadrant (Area 2; 3.9 acres), southeast quadrant (Area 3; 4.3 acres), and southwest quadrant (Area 4; 8.5 acres) of the Site. The Project includes a combination of outdoor light-deprivation cultivation (~75% of hoop structures or 17.2 acres) and mixed-light cultivation (~25% of hoop structures or 5.7 acres). The Project will also include ancillary support features, such as an administrative building (21,000

¹ The LLA Record of Survey Recorded Map references four parcels, designated as Parcel A, Parcel B, Parcel C, and Parcel D. Assessor Parcel Numbers were not assigned to the adjusted parcels until October 2020. Given that the majority of the technical studies were completed prior to assignment of the Assessor Parcel Numbers, they reference the parcels with letters, as shown on the LLA Record of Survey Recorded Map. For reference (and clarity), the LLA parcel letters and their corresponding Assessor Parcel Numbers are as follows: Parcel A (506-231-012); Parcel B (506-231-019, 506-231-022, 505-151-012); Parcel C (506-231-018); and Parcel D (506-231-021, 505-151-011).

square feet), propagation and office building (39,500 square feet), utility building (1,600 square feet), new onsite wastewater treatment system, an unpaved parking area, security fencing, and storm water management features (e.g., detention basins).

Preparation of the Site for the proposed development will require approximately 23,268 cubic yards of cut and 49,181 cubic yards of fill associated with onsite access road improvements, leveling of the Site with sand/soil in the areas of the hoop structures and walkways, installation of primary and reserve leach fields, and development of two storm water detention basins totaling approximately 0.8 acre-feet in storage size.

The Project is anticipated to require up to 116 full-time equivalent employees at full buildout. The existing agricultural operation on the Site requires approximately 40 full-time equivalent employees, resulting in a net increase of approximately 76 full-time equivalent employees (at full buildout). The operation will be seasonal, with the majority of employees needed beginning in April (planting) and extending through the end of October (final harvest). Hours of operation will generally be 6:30 a.m. to 3:30 p.m., although approximately 15 employees will work an extended evening shift to manage the propagation and cultivation process.

An existing agricultural well will provide irrigation water for the Project, while drinking water will be supplied by either, or a combination of, a new 100,000-gallon water storage tank fed by the existing well, or an existing potable water supply line serviced by the City of Arcata that crosses the Site. Project employees will have access to permanent restrooms in the new administration and office building that will be served by a new private onsite wastewater treatment system for sewage disposal, in addition to temporary restrooms for Site employees during peak harvest periods.

The Project has been designed to be consistent with Humboldt County Code Section 314-55.4 of Chapter 4 of Division I of Title III, Commercial Medical Marijuana Land Use Ordinance ("CMMLUO"), as well as state cultivation regulations administered by the California Department of Food and Agriculture ("CDFA") (California Code of Regulations, Title 3, § 8000 et seq.)

2.1 Project Phasing / Buildout

The Project is anticipated to be built out in two primary phases:

1. Phase 1 (2021): Construction of the ancillary support buildings and completion of Site preparation activities, including grading, access road development, installation of utilities, fencing and security features, septic system, and storm water management controls. Operations will consist of cultivation activities within the existing hoop structures located in the northwest corner of the property (Area 1).
2. Phase 2 (late 2021 or 2022): Construction and operation of the additional hoop structures within Areas 2-4 of the Site.

Note: The phasing plan is based on current projections for anticipated buildout. Actual Site development will be dictated by the timing of permits/approvals and market conditions.

2.2 Hours / Days of Operation and Number of Employees

Hours of operation will generally be 6:30 a.m. to 3:30 p.m., Monday through Saturday, although approximately 15 employees will work an extended evening shift to manage the propagation and cultivation process. The Project is anticipated to require up to 116 full-time equivalent employees at full buildout. The existing agricultural operation on the Site requires approximately 40 full-time equivalent employees, resulting in a net increase of approximately 76 full-time equivalent employees (at full buildout). The operation will be seasonal, with the majority of employees needed beginning in April (planting) and extending through the end of October (final harvest).

2.3 Cultivation / Operations Plan

The Project entails approximately 1 million square feet of new outdoor cannabis cultivation within existing and new plastic hoop structures. Of the total cultivation, approximately 75% (750,000 square feet) will be outdoor light-deprivation cultivation, and approximately 25% (250,000 square feet) will be mixed-light cultivation using a combination of natural and artificial lighting (see Sheet 3.0, Site and Utility Plan).

The Project will employ on-site vegetative propagation (using “mothers” and “clones”) incidental and accessory to the cultivation process. A mother is a plant that is grown specifically for cloning purposes. The mother plants are kept in a constant vegetative state and are never transitioned into the flowering stage. Twelve hoop structures (hoop designators #164-#175) are currently anticipated for mother plants (see Sheet C3.2, Site and Utility Plan – Area 2). Once a mother plant has reached a stable point in its vegetative growth cycle, it is ready to be cloned or propagated. Cloning is the process of taking stem cuttings from a mother plant in order to develop new plants (the clones), genetically identical to the mother. Clones will be developed indoors within the propagation building located in the southwest corner of the Site (see Sheet 3.0, Site and Utility Plan, and Sheet C4.3, Details – Buildings). Once the cloned plant roots are 1-2 inches in length, which may take anywhere from 7-21 days, they will be moved to designated hoop structures (hoop designators #192-#197) to allow two weeks of “starter” growth (see Sheet C3.3, Site and Utility Plan – Area 4). Following the first two weeks of starter growth, the plants will be relocated to the cultivation hoop structures for growth and harvest.

Planting will occur within small pots for the mother plants, clones, and starter growth phase, with cultivation of mature plants occurring in planting crates, similar to those used in the existing flower cultivation process. Soil will be sourced from existing supplies on an adjacent parcel, and no importation of soil is anticipated.

Odors from the cultivation process will be controlled using fans that direct airflow through the hoop structures to a carbon filtration unit. In the event that carbon filtration is inadequate, odor

neutralizers such as Ecosorb, which is a water-based product that contains a proprietary blend of natural plant oils and bio-based surfactants that effectively adsorb to odor molecules, neutralizing their smell, may be utilized.

For the mixed-light component (~5.9 acres), strict adherence to night sky standards will be achieved. Light and glare will be controlled using blackout plastic/fabric to cover the hoop structures and prevent light from escaping.

The cultivation schedule will be optimized to allow consistent production levels (weekly harvests) to minimize fluctuations in labor needs and deliver stable volumes of products to customers. A summary of anticipated seasonal cultivation activities is shown in Table 2, below:

TABLE 2
ANTICIPATED SCHEDULE OF SEASONAL CULTIVATION ACTIVITIES

Planting Details			Cultivation Activities			
Planting Cycle	Planting Date	Approx. No. of Hoop Structures	Plant Maintenance (Pruning)	Plant Maintenance (De-fanning)	Plant Maintenance (De-fanning)	Harvest
1	Mar 31	9	Apr 21	May 26	Jun 16	Jun 23
2	Apr 7	9	Apr 28	Jun 2	Jun 23	Jun 30
3	Apr 14	9	May 5	Jun 9	Jun 30	Jul 7
4	Apr 21	9	May 12	Jun 16	Jul 7	Jul 14
5	Apr 28	9	May 19	Jun 23	Jul 14	Jul 21
6	May 5	9	May 26	Jun 30	Jul 21	Jul 28
7	May 12	9	Jun 2	July 7	Jul 28	Aug 4
8	May 19	9	Jun 9	Jul 14	Aug 4	Aug 11
9	May 26	9	Jun 16	Jul 21	Aug 11	Aug 18
10	Jun 2	9	Jun 23	Jul 28	Aug 18	Aug 25
11	Jun 9	9	Jun 30	Aug 4	Aug 25	Sep 1
12	Jun 16	9	Jul 7	Aug 11	Sep 1	Sep 8
13	Jun 23	9	Jul 14	Aug 18	Sep 8	Sep 15
14	Jun 30	9	Jul 21	Aug 25	Sep 15	Sep 22
15	Jul 7	9	Jul 28	Sep 1	Sep 22	Sep 29
16	Jul 14	9	Aug 4	Sep 8	Sep 29	Oct 6
17	Jul 21	9	Aug 11	Sep 15	Oct 6	Oct 13
18	Jul 28	9	Aug 18	Sep 22	Oct 13	Oct 20
19	Aug 4	9	Aug 25	Sep 29	Oct 20	Oct 27

Notes:

1. The anticipated schedule of seasonal activities is provided only as a guideline. Actual quantities and timing of activities will be dictated by weather, operational, and market conditions.

Following harvest, cannabis will be transported by a small pickup truck or off-road vehicle (e.g., golf cart or quad) with trailer a short distance (entirely within the confines of the property) to an approved processing, manufacturing, and distribution facility on an adjacent parcel (APN 506-231-018).

ALC has developed a detailed Operations Plan outlining security measures, inventory and quality control procedures, material storage, handling and disposal procedures, health and safety considerations, and waste management for the Project. See Appendix C, Operations Plan.

2.4 Water Source and Irrigation Plan

Water Source

Water for irrigation will be supplied by an existing permitted on-site groundwater well (County Permit Number 18/19-0783). The well is located east of the Project area on an adjoining parcel under common ownership (APN 505-151-012) (see Sheet 1, Site Plan, and Figure 3, Existing Conditions Site Map). The well is completed to a depth of approximately 150 feet and has an estimated yield of 400 gallons per minute according to the Well Completion Report (See Appendix D, County Well Permit). As documented by the well driller (Rich Well Drilling), the well is screened approximately 100' below surface in a state designated groundwater basin (Mad River Valley - Mad River Lowland; 1-008.01), and has no hydraulic connection to any surface water or larger shallow homogeneous aquifer (see Appendix E, Hydrologic Connectivity Letter).

Irrigation Plan

The Project's annual irrigation demand has been estimated at 52 acre-feet (17 million gallons), with a monthly maximum of approximately 12 acre-feet (4 million gallons) during the month of July. Irrigation water will be needed from April through October of each year, with no irrigation water anticipated during the months of November through March. The estimated output of the existing on-site groundwater well is approximately 1.8 acre-feet (576,000 gallons) per day, indicating sufficient water supply to service the irrigation demands of the Project.

The Project's estimated irrigation water usage, by month, is shown in Table 3, below.

TABLE 3
PROJECTED IRRIGATION WATER USAGE

	Month ¹						
	April	May	June	July	August	September	October
Gallons (millions)	0.9	2.3	3.5	4.0	3.4	2.2	0.7
Acre-Feet	2.6	7.1	10.9	12.2	10.5	6.6	2.2

Notes:

1. No irrigation water expected during the months of November through March.

Irrigation will be controlled by an automated irrigation system (e.g., Priva process control system) that will measure soil moisture and the surrounding environment to deliver precise water-

nutrient needs. The automated irrigation system will provide an advanced fertilizer mixing system, and control desired electrical conductivity, pH and flow rate. At all times, water will be applied using no more than agronomic rates.

2.6 Site Drainage

Existing Site Drainage

Drainage from the area of existing hoop structures in the northwest corner of the Site is routed to a retention basin located west of the hoop structures on an adjacent parcel under common ownership. Surface runoff for the remainder of the parcel is directed to onsite drainage ditches that tie into a drainageway that flows northwest into the same retention basin, or drain southward into a wetland slough (located on an adjoining parcel southeast of the Project area). The slough flows westward to an underground culvert, which is routed underneath the mill warehouse buildings and into Liscom Slough.

Project Site Drainage

The Project will add impervious area to the Site resulting from the construction of hoop houses, administration buildings, loading areas, and concrete walkways. Based on the topography of the Site, the post-development grading design splits runoff into two sub-catchments, one collects the runoff from the northern portion of the parcel, and the other the southern portion. The proposed northern sub-catchment will be primarily hoop structures and open space, while the proposed southern sub-catchment will be primarily hoop structures, open space, and office buildings located in the southwest corner of the Site. In order to separate applied irrigation water and storm water runoff, the proposed development utilizes hoop houses to isolate the cannabis crops. Runoff from the hoop structures is conveyed to storm water retention basins through a series of perforated pipes that run in between all of the hoop houses. The perforated pipes are connected to a larger network of storm drains which convey runoff to the retention basins. The Site has two proposed retention basins, one for each sub-catchment. The preliminary design for the northeast retention basin will provide 0.5 acre-feet of storage, and the southern retention basin will provide 0.33 acre-feet. Each basin will also be equipped with an outlet structure which will allow excess flow from larger storm events to be controlled and drained into the existing ditches adjacent to the property. (See Appendix F, Storm Water Management Design Memorandum).

2.7 Grading and Site Preparation

Preparation of the Site for the proposed development will require approximately 23,268 cubic yards of cut and 49,181 cubic yards of fill associated primarily with onsite access improvements, leveling of portions of the Site with sand, and development of storm water management features (e.g., detention basins).

The estimated cut quantity includes development of two storm water detention basins totaling 0.83 acre-feet in size. Basin 1 is located on adjoining APN 506-231-022 in the northeast corner of the Site, and totals 0.5 acre-feet in size. Basin 2 is located on adjoining APN 506-231-019 in the southeast corner of the Site, and totals 0.33 acre-feet in size. See Sheet C3.0, Site and Utility Plan, Sheet C3.1, Site and Utility Plan – Area 1, Sheet C3.3, Site and Utility Plan – Area 3, and Sheet C4.1, Details – Detention Basins.

The estimated fill quantity includes placement of sand/soil beneath the areas of the hoop structures and walkways. The sand/soil will be obtained from existing stockpiles on an adjacent parcel. The placement of sand/soil will involve only leveling for an even, consistent grade, and will not require compaction. See Sheet C4.0, Details – Hoop Houses.

In addition to the placement of sand/soil, Site development will include approximately 40,500 square feet of new concrete surfacing, comprised of concrete within the loading zones, walkways around the administration buildings, ADA parking stalls and ramps (12,698 square feet), green waste storage area (9,460 square feet), and walkways between hoops (18,342 square feet). See Sheet C3.0, Site and Utility Plan. Onsite access roads and the parking areas (with exception of ADA stalls and ramps) will be unpaved to minimize the quantity of impervious surface being added and to assist with storm water management at the Site.

2.8 Storage and Use of Fertilizers, Pesticides, and Other Products

ALC has considerable experience managing and using fertilizers, pesticides, and other products in existing agricultural operations on-site, and has developed detailed Standard Operating Procedures (“SOPs”) for use and management of pesticides, injury and illness prevention, and waste management. See Appendix G, Standard Operating Procedures. In addition, ALC has developed project-specific waste management and pest management plans, consistent with State of California cultivation licensing requirements. See Appendix H, Waste Management Plan, and Appendix I, Pest Management Plan.

In addition to robust company policies and procedures, storage and use of fertilizers and pesticides will be conducted in accordance with the Best Practicable Treatment or Control (BPTC) measures of State Water Resources Control Board (SWRCB) Order WQ 2019-0001-DWQ, which include requirements to apply fertilizers and soil amendments at only the proper agronomic rates, and to store materials in a manner that is protected from rainfall and erosion.

No storage of fertilizers, pesticides, or hazardous materials will occur on the proposed cultivation site. All storage will occur on an adjacent parcel under common ownership that is currently setup and permitted to store and manage fertilizers, pesticides, and hazardous materials used in existing agricultural operations. The materials will be stored in fully enclosed, watertight containers, and in a manner so that they cannot enter or be transported into surface waters or groundwater. These storage facilities are already in place.

2.9 Access and Parking

The Project area will be accessed using an existing 20' wide access road from an existing driveway entrance off of Foster Avenue (See Sheet C2.0, Existing Conditions, and Figure 3, Existing Conditions Site Map). The Foster Avenue driveway has been historically used for heavy industrial traffic associated with the former mill site and is configured to accommodate service and transport trucks (170' wide driveway apron). Onsite access roads and concrete walkways will be located to provide pedestrian, vehicular, and equipment access throughout the Project Site (see Sheet C3.0, Site and Utility Plan).

Primary and secondary designated parking lots with a total of 116 standard parking stalls and 3 Americans with Disabilities Act ("ADA") accessible stalls will be located near the southwest corner of the Site (adjacent to the administration building) and on APN 506-231-018 (under the same ownership) (see Sheet C3.0 and C3.2, Site and Utility Plan). In addition, 12 bicycle parking spaces will be provided, consistent with the recommendations of the Traffic Impact Study (see Sheet C3.2, Site and Utility Plan, and Appendix Q, Traffic Impact Study). The parking area will be developed consistent with County Zoning Regulations §314-109.1.

2.10 Drinking Water, Toilets and Handwashing Facilities

Drinking water will be supplied by either, or a combination of, a new 100,000-gallon water storage tank fed by the existing well, or an existing potable water supply line serviced by the City of Arcata that crosses the Site. The facility will have breakrooms and restrooms of sufficient size to accommodate the anticipated workforce. In addition, portable toilets may be utilized to accommodate seasonal workers during peak harvest periods. A shower room will be built for use by employees who work with chemicals and fertilizers, and there will be emergency eyewash stations at locations where chemicals and fertilizers are handled. See Sheet C4.3, Details - Buildings.

SHN Consulting Engineers and Geologists ("SHN") conducted a wastewater disposal field study and identified a suitable location for an onsite sewage disposal system located on the eastern boundary of the Project area. See Sheet C3.1, Site and Utility Plan – Area 1, Sheet C3.2, Site and Utility Plan – Area 2, and Appendix J, Septic Suitability Report.

2.11 Energy Supply and Use

The property is serviced by an existing Pacific Gas and Electric (PG&E) service line, and no new or expanded energy facilities are needed in connection with the Project. It is not anticipated that electrical generators will be required.

In addition to PG&E power, the Project proposes three natural gas boilers rated at 1 million British thermal units per hour (MMBTU/hr) that will be located in the Utility Building and be used to provide temperature control within the hoop structures (see Sheet C4.3, Details – Buildings).

Energy consumption and associated air quality and greenhouse gas emissions were evaluated by a retained air quality consultant (Illingworth & Rodkin, Inc.). See Appendix K, Air Quality and Greenhouse Gas Emissions Assessment.

2.12 Security Plan

Strict security measures will be employed at the premises, including the following:

- **Access control:** All entrances to the facility will be restricted by an access control system. 24-hour access will be provided to emergency responders via a Knox Box.
- **Fencing:** The Project area will be fenced with chain-link fencing or other similar fencing.
- **Alarm system:** Motion detection will help the security team and camera systems identify when intruders attempt to enter the property.
- **Lighting:** LED motion sensors will be discreetly placed in and around the facility in compliance with Universal Building code.
- **Security staff:** Security staff will perform routine inspections and monitor a surveillance system 24-hours per day.
- **Camera Systems:** All Project areas will be covered by camera systems for safety purposes and to help product loss prevention.
- **Limited Access:** Access will be limited to qualified personnel only.

The security measures will protect against theft and diversion not only from intruders, but also from staff members and visitors. This will be accomplished by limiting access to the Project Site and by surveillance monitoring of personnel and visitors at all times when in close proximity to the product. Strict inventory control measures will also be employed to prevent and detect diversion. See Appendix C, Operations Plan.

2.13 Safety Training

The cultivation operations will include safety protocols and safety training relevant to specific job functions. Training topics may include:

1. Emergency contact list which includes at a minimum, operation manager contacts, emergency responder contacts, and poison control contacts;
2. Emergency action response planning;
3. Employee accident reporting and investigation policies;
4. Fire prevention;
5. Hazard communication policies, including maintenance of material safety data sheets (MSDS);
6. Materials handling policies;

7. Job hazard analyses; and
8. Personal protective equipment policies, including respiratory protection.

See Appendix C, Operations Plan.

2.14 Site-Specific Technical Reports

The following technical reports and documentation have been prepared / compiled in support of this application:

Appendix A	LLA Record of Survey Recorded Map (Kelly O'Hern Associates, May 2020)
Appendix B	Certificate of Subdivision Compliance (March 2020)
Appendix C	Operations Plan (Lenders Construction Services, October 2020)
Appendix D	County Well Permit and Well Completion Report (April 2019)
Appendix E	Hydrologic Connectivity Letter (Rich Well Drilling, August 2020)
Appendix F	Storm Water Management Design Memorandum (Wallace Group, September 2020)
Appendix G	Standard Operating Procedures (ALC, March 2020)
Appendix H	Waste Management Plan (ALC, September 2020)
Appendix I	Pest Management Plan (ALC, September 2020)
Appendix J	Septic Suitability Design Report (SHN, June 2020)
Appendix K	Air Quality and Greenhouse Gas Emissions Assessment (Illingworth & Rodkin, September 2020)
Appendix L	Biological Resources Assessment (SHN, June 2020)
Appendix M	Wetland and Other Waters Delineation Report (SHN, June 2020)
Appendix N	FEMA Letter of Map Amendment (October 1997; June 2017)
Appendix O	EnviroStor Records Search Results (September 2020)
Appendix P	Phase I Environmental Site Assessment (Partner Engineering and Science, June 2015)
Appendix Q	Traffic Impact Study (W-Trans, October 2020)

Cultural Resources Report (Archaeological Research and Supply Company, May 2018) (Confidential on file with the County)

2.15 Requested Entitlements

County Entitlements

ALC anticipates needing to obtain the following Humboldt County permits/authorizations for the Project:

- Approval of a **Use Permit** to allow approximately 1 million square feet (22.9 acres) of outdoor light-deprivation cultivation (~750,000 square feet; 17.2 acres) and mixed-light cultivation (~250,000 square feet; 5.7 acres) within hoop structures. The Project Site is zoned Heavy Industrial with a Qualified Combining Zone (MH-Q) (consistent with CMMLUO 55.4.8.2.1.2).
- Approval of **Building Permit(s)** or **Agricultural Exemption(s)** to allow construction of the hoop structures, administrative building (21,000 square feet), propagation and office building (39,500 square feet), utility building (1,600 square feet), and water storage tank (100,000 gallons).
- Approval of a **Grading Permit** or **Agricultural Exemption** to allow general Site grading for structures, onsite access roads, hoop walkways, and parking area, as well installation of two storm water detention basins totaling approximately 0.8 acre-feet in storage size.
- Approval of an **Environmental Health Permit** for a new onsite wastewater treatment system.
- Approval of an **Air Quality Authority to Construct / Permit to Operate** for operation of three natural gas boilers rated at 1 MMBTU/hr that will provide temperature control within the hoop structures.

Other Permits, Licenses, and Approvals

ALC anticipates needing to obtain the following additional permits, licenses and approvals for the Project:

- Approval of **Licenses** for Tier 1 and Tier 2 mixed-light cultivation issued by the State of California in accordance with the Medicinal and Adult-Use Cannabis Regulation and Safety Act ("MAUCRSA"). The California Department of Food and Agriculture ("CDFA") CalCannabis Cultivation Licensing Division ("CalCannabis") is responsible for the licensing of cannabis cultivation and is responsible for the regulation of cannabis cultivation and enforcement, as defined in the Medicinal and Adult Use Cannabis Regulation and Safety Act (MAUCRSA) and CDFA regulations related to cannabis cultivation (Bus. & Prof. Code, § 26103(a)).
- Enrollment and coverage under the State Water Resources Control Board (SWRCB) General Waste Discharge Requirements and Waiver of Waste Discharge Requirements for Discharges of Waste Associated with Cannabis Cultivation Activities (**Order WQ 2019-0001-DWQ**).
- Proof of a lake and streambed alteration agreement issued by the California Department of Fish and Wildlife or written verification that an agreement is not needed (Cal. Code Regs., tit. 3 § 8102(w)).

3.0 ENVIRONMENTAL SETTING

The Project Site is located approximately 2.9 miles east of the Pacific Ocean, at a 25-foot elevation above sea level. The regional climate is Mediterranean in nature with warm summers and cool winters. The microclimate in Arcata is characteristic of the coast, with measurable precipitation approximately 77 days per year and totaling 50 inches on average. On average, there are 174 sunny days per year. The July high is around 63 degrees Fahrenheit and the January low is typically around 42 degrees.

The Site is heavily disturbed from previous mill operations and is currently managed for agricultural production. Surface soils on the site have been imported or graded from other areas of the property over time. The Site's hydrology has been altered over time by drainage ditches constructed around the perimeter of the old industrial lumber rack and mills' footprint. Vegetative species on the Site primarily consist of non-native grass and forb species, supporting cutleaf geranium (*Geranium dissectum*), orchard grass (*Dactylis glomerata*), wild radish (*raphanus sativus*), velvet grass (*holcus lanatus*), sweet vanilla grass (*anthoxanthum odoratum*), and field mustard (*brassica rapa*).

3.1 Historic and Existing Land Uses

The Project Site has a long history of heavy industrial and agricultural use. The Site was in agriculture (hay or livestock production) until Simpson Lumber Company constructed an industrial mill site in the late 1940's or early 1950's. The Site has been modified many times with the addition of warehouses and lumber storage racks. Between 1988 and 1993, the storage racks were removed. The fields have since been graded and are currently used for agriculture. The existing greenhouses are used to grow flowers, while the fields have been used for both flowers and mixed row crops.

3.2 Surrounding Land Uses

The predominant land uses in the vicinity of the Project include additional land holdings of the Project applicant that are used for intensive commercial agricultural operations, with mixed commercial, agricultural and residential uses in the vicinity. Development associated with the City of Arcata is located approximately 1,000 feet to the east. There are no known schools, places of worship, public parks, or tribal cultural resources within 600 feet of the Project.

The closest offsite residences are two homes located on a single parcel off of 27th Street approximately 200 feet to the north and northeast of the Site. Beyond this single parcel, the next closest homes are located >500 feet to the east of the Project Site. St. Mary's Catholic Church is located >2,000 feet to the southeast. The City of Arcata School District owns property located a minimum of 600 feet to the east (although it is currently developed to agriculture). The Mad River Montessori Preschool / Fuente Nueva Charter School is located off of Janes Road approximately 2,000 feet to the southeast.

See Figure 3, Existing Conditions Site Map.

3.3 Geology

The Project Site is located in the "Arcata Bottoms," a broad alluvial plain at the northern end of Humboldt Bay. Native materials at the Site consist of Quaternary aged alluvium. Alluvium on the Arcata Bottoms is described as unconsolidated coarse- to fine-grained sand and silt, with gravel in channel areas; the alluvium may locally interfinger with marine terrace deposits. At least some of the alluvium on the Arcata Bottoms is inferred to be Holocene in age, and appears to reflect deposition by the Mad River following the most recent sea level low stand. See Figure 6, Site Geology Map.

3.4 Soils

General Soil Units

The Natural Resources Conservation Service ("NRCS") has mapped two primary soil units on the Project Site, as shown in Table 4, below (see also Figure 4, NRCS Soils Map).

TABLE 4
NRCS SOIL SUMMARY

Map Unit Symbol	Map Unit Name
127	Jollygiant, 0 to 2 percent slopes
210	Dungan, 0 to 2 percent slopes

Prime Agricultural Soils

According to the Humboldt County Web GIS, the entire Project Site is comprised of prime agricultural soils. See Figure 5, Prime Agricultural Soils Map.

3.5 Seismicity

The Project is not located within an Alquist-Priolo Earthquake Fault Zone. There are no active faults mapped within the Project location and it is not within an Earthquake Fault Zone as mapped by the California Geological Survey.

3.6 Biological Resources

SHN conducted a Biological Resources Assessment consisting of literature reviews and field observations and studies in order to identify potential sensitive biological resources that may occur within the Project area. Key findings from SHN's assessment are summarized below:

- **Special Status Species:** A review of available literature indicates that 6 special status plant species and 15 special status animal species have a moderate or higher potential

to occur within the Project area; however, site investigations were conducted by SHN during appropriate seasons for detection, and no special status species were observed.

- **Designated Critical Habitat:** The Project areas do not contain designated critical habitat for any listed species. The closest designated critical habitat is for the Tidewater Goby (*Eucyclogobius newberryi*), 1.08 miles to the west of the Project area (Mad River Slough).
- **Sensitive Natural Communities:** No sensitive natural communities were identified within the Project area.
- **Wetland and Riparian Habitats:** A man-made roadside drainage ditch containing wetland indicators was mapped along the existing access road at the southwest border of the Project Site. This feature will be conserved, and will not be disrupted by Project activities (with exception of routine maintenance of the ditches, consistent with current practice).
- **Nesting Bird Habitat:** Locations with a shrub or tree canopy layer within the Project area may provide suitable nesting habitat for migratory birds. Additionally, some species, such as a western meadowlark (*Sturnella neglecta*), may nest in tall grasses.
- **Wildlife Movement Corridors:** No significant wildlife movement corridors were identified within the Project area, although some animals may use the existing and proposed roadways as movement corridors.

See Appendix L, Biological Resources Assessment, and Appendix M, Wetland and Other Waters Delineation Reports.

3.8 Flooding

According to an October 30, 1997 Letter of Map Amendment from the Federal Emergency Management Agency ("FEMA"), the Site is not located in a Special Flood Hazard Area, that is the area that would be inundated by a flood having a one percent chance of being equaled or exceeded in any given year (See Appendix N, FEMA Letter of Map Amendment).

3.9 Fire Hazard

The Project Site is located in an area of Low Fire Hazard rating and within the Arcata Fire Protection District. A new 100,000-gallon water storage tank will be located on the Site and available for fire suppression (See Sheet C3.2, Site and Utility Plan).

3.10 Hazardous Materials (Contamination)

A Phase I Environmental Site Assessment and a records search of the State of California's EnviroStor database confirms that the Site has is not identified on a list of known hazardous materials locations, and that no known soil / groundwater contamination issues are present. See Appendix O, EnviroStor Records Search Results, and Appendix P, Phase 1 Environmental Site Assessment. As part of the sale of the property from Simpson Redwood Company a thorough

environmental assessment of the site was conducted and the property entered into a Voluntary Cleanup Agreement with the California Department of Toxic Substances Control (DTSC). Remediation work completed included the removal and off-site disposal of approximately 8,600 cubic yards of soil and the treatment of 1.2 million gallons of groundwater. DTSC certified the actions sufficiently addressed onsite contamination in February 1999 provided groundwater monitoring of the small VOC plume in the southeastern portion of the site continue. Groundwater monitoring continued until 2013 when the RWQCB and the DTSC agreed that the downward trend in concentrations of contaminants was sufficient to remove the semi-annual groundwater monitoring requirement. The area of the small VOC plume and groundwater monitoring is outside of the area proposed for the cannabis cultivation. The phase 1 ESA concludes that no additional investigation is needed.

4.0 CMMLUO APPLICATION CHECKLIST

This section addresses the relevant sections of the CMMLUO that pertain to application requirements and performance standards for new commercial cannabis activities. In addition, this section includes responses to the Commercial Medical Marijuana Land Use Ordinance Cultivation Application Checklist ("Application Checklist") where the Application Checklist supplements or amplifies the requirements of the CMMLUO.

4.1 Operations Plan

ALC has developed detailed Standard Operating Procedures (SOPs) and an Operations Plan that outline security measures, inventory and quality control procedures, material storage, handling, and disposal procedures, health and safety considerations, processing practices, pest management and waste management for the proposed Project. See Appendix C, Operations Plan, Appendix G, Standard Operating Procedures, Appendix H, Waste Management Plan, and Appendix I, Pest Management Plan.

4.2 Site and Floor Plans

See Sheets C1.0 through C5.1, prepared by the Wallace Group.

4.3 CEQA Evaluation

See Section 6, CEQA Evaluation for an Initial Study of potential environmental impacts, utilizing the Environmental Checklist Form presented in Appendix G of the CEQA Guidelines.

4.4 Consent and Acknowledgements

4.4.1 Consent for Onsite Inspection

Applicant hereby consents for an onsite inspection of the Site by County officials at a prearranged date and time prior to issuance of any clearance or permit, and once annually thereafter.

4.4.2 Acknowledgement of Right to Reduce Cultivation Area

Applicant hereby acknowledges the County's right to reduce the size of the area allowed for cultivation 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.

4.4.3 Acknowledgement of Right to Engage Local Tribes

Applicant hereby acknowledges 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.

4.4.4 Agricultural Employer Statement

Pursuant to the MMRSA, Health and Safety Code §26051(a)(8), the applicant hereby declares that it 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.

In addition to the above declaration of status as an "Agricultural Employer" per Labor Code Sections 1140-1166.3, the applicant/employer hereby agrees to 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, California Agricultural Labor Relations Act, and the Humboldt County Code (including the Building Code).

5.0 CMMLUO CONSISTENCY MATRIX

The Project's consistency with the provisions and standards of the Commercial Medical Marijuana Land Use Ordinance ("CMMLUO") (§314-55.4, Chapter 4, Division 1, Title III) is detailed in Table 5, below.

TABLE 5
CMMLUO CONSISTENCY MATRIX

CMMLUO Standard	Project Consistency
55.4.8.2. Outdoor and mixed light cultivation zoning districts.	Consistent. The Project Site is zoned MH-Q. Outdoor and mixed-light cultivation are allowed with a Use Permit in the MH zone.
55.4.8.2.1. Approvals for new outdoor and mixed light cultivation areas up to 10,000 sf on parcels 5 acres or larger in size in zoning districts RA, U, FP, DF, AG, or AE.	N/A. The Project Site is zoned MH-Q.
55.4.8.2.1.1. Parcels 320 acres or larger in size.	N/A. The Project Site is zoned MH-Q.
55.4.8.2.1.2. Outdoor and mixed light cultivation in C-2, C-3, MB, ML, and MH zoning districts.	Consistent. The Project Site is zoned MH-Q. Outdoor and mixed-light cultivation are allowed with a Use Permit in the MH zone.
55.4.8.2.1.3. Outdoor and mixed light cultivation in U, FP, DF, AG, or AE zoning districts on parcels between 1 and 5 acres.	N/A. The Project Site is zoned MH-Q.
55.4.8.2.1.4. Setbacks from existing residences on parcels under 5 acres.	N/A. The Project Site is located on a legal parcel approximately 38 acres in size.
55.4.8.2.2. Approvals for existing outdoor and mixed light cultivation areas.	N/A. The Project does not involve a pre-existing cultivation.
55.4.8.3. Approvals for indoor cultivation.	N/A. The Project does not involve indoor cultivation.
55.4.8.4. Allowed zoning districts for processing facilities.	N/A. The Project involves only cultivation with processing to occur at a permitted offsite location.
55.4.8.5. Allowed zoning districts for manufacturing.	N/A. The Project does not involve manufacturing.

CMMLUO Standard	Project Consistency
55.4.8.6. Allowed zoning districts for wholesale distribution facilities.	N/A. The Project does not involve wholesale distribution.
55.4.8.7. Allowed zoning districts for nurseries.	N/A. The Project includes propagation as an incidental and subordinate use to the cultivation, but does not involve a nursery (i.e., the Project will not produce commercial cannabis nursery products for retail sale).
55.4.8.10. No more than four cannabis permits per person.	Consistent. The Project applicants will hold no more than four cannabis activity permits in Humboldt County.
55.4.9. Permit types.	Consistent. Outdoor and mixed-light cultivation are permitted in the MH zone with a Use Permit.
55.4.9.1. Processing of cannabis.	Consistent. Processing will occur at a permitted off-site location.
55.4.9.2. Combined applications.	N/A. The Project does not involve a request for a combined application.
55.4.9.3. Combination of permit types.	N/A. The Project does not involve a request for a combination of permit types.
55.4.9.4. Pre-application registration of existing cultivation site.	N/A. The Project does not involve a request for recognition of cultivation areas in existence prior to January 1, 2016.
55.4.9.5. Applications for commercial cannabis activity on Tribal Land.	N/A. The Project is not located on Tribal Lands.
55.4.10. Application requirements.	
a. Contact info for applicant	Consistent. See Section 1.3.
b. Written consent of owner	N/A. Project applicant is also the property owner.
c. Site plan	Consistent. See Sheets C1.0 through C5.1.
d. Cultivation and operations plan	Consistent. See Section 2.3 and Appendix C, Operations Plan.

CMMLUO Standard	Project Consistency
e. Copy of SWRCB permit	N/A. The Project's water demands will be served by existing permitted groundwater wells. See Sheet C2.0, Existing Conditions, and Figure 3, Existing Conditions Site Map.
f. Description of water source, storage, irrigation, and projected water usage.	Consistent. See Section 2.4.
g. Copy of Notice of Intent for NCRWQCB Order No. 2015-0023.	Consistent. Upon Use Permit approval, the Project will enroll in State Water Resources Control Board (SWRCB) Order WQ 2019-0001-DWQ.
h. Copy of Streambed Alteration Agreement.	N/A. The Project does not involve activities requiring application for a Streambed Alteration Agreement from the Department of Fish & Wildlife. See Appendix E, Hydrologic Connectivity Letter.
i. Copy of County well permit.	Consistent. See Appendix D, County Well Permit.
j. Copy of less-than-3-acre conversion exemption or timberland conversion permit.	N/A. The Project does not involve an area of timberland conversion.
k. Consent for onsite inspection.	Consistent. See Section 4.4.1.
l. Source of electrical power for indoor cultivation facilities and how it will meet energy requirements.	N/A. The Project does not involve a request for indoor cultivation facilities.
m. County right to reduce cultivation area.	Consistent. See Section 4.4.2.
n. County right to engage local Tribes.	Consistent. See Section 4.4.3.
55.4.11. Performance standards for cultivation and processing operations.	
a. Compliance with all laws.	Consistent. Project activities will be conducted in compliance with all laws or the

CMMLUO Standard	Project Consistency
	terms of a written approved compliance agreement.
b. Possession of valid licenses.	Consistent. The applicant will obtain and maintain current required licenses from the State of California.
c. Compliance with SWRCB regulations.	Consistent. The Project will maintain compliance with statutes, regulations and requirements of the SWRCB, including enrollment in Order WQ 2019-0001-DWQ).
d. Setbacks.	Consistent. See Sheets C1.0 through C5.1.
e. Enrollment in NCRWQCB Order No. 2015-0023.	Consistent. Upon Use Permit approval, the Project will enroll in SWRCB Order WQ 2019-0001-DWQ).
f. Tier 1 dischargers.	N/A. Upon Use Permit approval, the Project will enroll in State Water Resources Control Board (SWRCB) WQ 2019-0001-DWQ).
g. Compliance with DFW Streambed Alteration Agreements.	N/A. The Project does not involve activities requiring application for a Streambed Alteration Agreement from the Department of Fish & Wildlife. See Appendix E, Hydrologic Connectivity Letter.
h. Compliance with less-than-3-acre conversion exemption or timberland conversion permit.	N/A. The Project does not involve an area of timberland conversion.
i. Consent to annual inspections.	Consistent. See Section 4.4.1.
j. Hazardous materials and wastes.	Consistent. Use and storage of hazardous materials will be performed in compliance with State and local laws and regulations. See Section 2.8, Appendix G, Standard Operating Procedures, Appendix H, Waste Management Plan, and Appendix I, Pest Management Plan.
k. Payment of fees.	Consistent. The applicant will pay all applicable application and annual inspection fees.

CMMLUO Standard	Project Consistency
l. Water surface diversion.	N/A. The Project's water demands will be served by existing groundwater wells.
m. Trucked water.	Consistent. Water will be supplied by onsite wells, and truck water shall not be used except for emergencies.
n. Conditions of approval.	Consistent. The Project will comply with all special conditions of approval which may be imposed on the Use Permit.
o. Generator noise.	N/A. The Project does not involve use of a generator.
p. Storage of fuel.	Consistent. Fuel will be stored and handled in compliance with applicable state and local laws and regulations. See Section 2.8.
q. Agricultural employer statement.	Consistent. See Section 4.4.4.
r. Compliance with CA Agricultural Employer laws.	Consistent. The Project will comply with all applicable federal, state, and local laws and regulations governing California Agricultural Employers.
s. Processing Practices.	N/A. Processing will occur at a permitted off-site location.
t. Employee Safety Practices.	Consistent. See Appendix C, Operations Plan and Appendix G, Standard Operating Procedures.
u. Processing Plan.	N/A. Processing will occur at a permitted off-site location.
Performance standards for mixed light cultivation.	
v. Artificial lighting.	Consistent. The Project applicant will shield hoop structures so that little to no light escapes. Light and glare will be controlled using blackout plastic/fabric to cover the hoop structures and prevent light from escaping. Light will not escape at a level that is visible

CMMLUO Standard	Project Consistency
	from neighboring properties between sunset and sunrise.
w. Light shielding.	Consistent. The Project will comply with the International Dark Sky Association standards for Lighting Zone 0 and Lighting Zone 1, and be designed to regulate light spillage onto neighboring properties resulting from backlight, uplight, or glare.
55.4.17. Sunset for applications.	Consistent. Project applications were submitted prior to the 12/31/16 sunset date.

6.0 CEQA EVALUATION

6.1 Environmental Factors Potentially Affected

The proposed Project will not have a significant effect on the environment, as indicated by the checklist on the following pages.

- | | | |
|---|--|---|
| <input checked="" type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture and Forestry Resources | <input checked="" type="checkbox"/> Air Quality |
| <input checked="" type="checkbox"/> Biological Resources | <input checked="" type="checkbox"/> Cultural Resources | <input checked="" type="checkbox"/> Energy |
| <input checked="" type="checkbox"/> Geology and Soils | <input checked="" type="checkbox"/> Greenhouse Gas Emissions | <input checked="" type="checkbox"/> Hazards and Hazardous Materials |
| <input checked="" type="checkbox"/> Hydrology and Water Quality | <input type="checkbox"/> Land Use and Planning | <input type="checkbox"/> Mineral Resources |
| <input checked="" type="checkbox"/> Noise | <input type="checkbox"/> Population and Housing | <input checked="" type="checkbox"/> Public Services |
| <input type="checkbox"/> Recreation | <input checked="" type="checkbox"/> Transportation | <input checked="" type="checkbox"/> Tribal Cultural Resources |
| <input type="checkbox"/> Utilities and Service Systems | <input type="checkbox"/> Wildfire | <input type="checkbox"/> Mandatory Findings of Significance |

6.2 Determination

On the basis of this initial evaluation:

- ☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

- ☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.



Signature

1/26/2021

Date

Rodney Yandell

Humboldt County Planning and Building Department

Printed Name

For

6.3 Evaluation of Environmental Impacts

The following checklist is taken from the Environmental Checklist Form presented in Appendix G of the CEQA Guidelines. The checklist is used to describe the impacts of the proposed Project and identify project-specific mitigation measures, as appropriate: For this checklist, the following designations are used:

Potentially Significant Impact: An impact that could be significant, and for which no mitigation has been identified. If any potentially significant impacts are identified, an EIR must be prepared.

Less Than Significant with Mitigation Incorporated: An impact that requires mitigation to reduce the impact to a less-than-significant level.

Less-Than-Significant Impact: Any impact that would not be considered significant under CEQA relative to existing standards.

No Impact: The Project would not have any impact.