COUNTY OF HUMBOLDT

For the meeting of: 8/3/2023

File #: 23-1104

To: Planning Commission

From: Planning and Building Department

Agenda Section: Public Hearing

SUBJECT:
Humboldt Reserve, LLC
Assessor Parcel Numbers: 204-121-005; 204-121-006; and 204-251-001
Record No.: PLN-2022-17649
Hydesville area

Conditional Use Permits for 235,008 square feet (5.39 acres) of enclosed indoor commercial cannabis cultivation, 44,064 square feet (1.01 acres) of enclosed commercial nursery, and a 2,400 square foot distribution facility. Three new commercial buildings are proposed. Building 1 will be 61,344 square feet, building 2 will be 62,208 square feet, and building 3 will be 181,440 square feet. All three building will include indoor cultivation, commercial nursery, and drying space. A total of 25,920 square feet of ancillary drying space is proposed across the three new buildings. The distribution facility will occur in a proposed expansion to an existing building. Ancillary onsite processing is proposed in an existing 4,800 square foot building and a proposed 40' x 60' building expansion. Irrigation water will be sourced from rainwater catchment and reclaimed water from dehumidifiers installed in the proposed buildings. Rainwater will supply approximately 65% of irrigation demand, and reclaimed water from dehumidifiers will supply approximately 35% of irrigation demand. Annual water usage for the entire project is estimated at 4.2 million gallons. Water storage will consist of a proposed 3.12-million-gallon catchment pond. The project will require 25 year-round employees and an additional 49 seasonal laborers during peak operations for a total of up to 74 employees. Electricity will be sourced from an eligible renewable energy program through PGE from an existing power drop from a dedicated substation with a backup generator for emergency purposes only. Including all proposed improvements, the proposed project comprises approximately 381,087 square feet (8.7 acres) on a previously developed 33-acre former mill site.

RECOMMENDATION(S):
That the Planning Commission:

1. Adopt the resolution (Resolution 23-__). (Attachment 1) which does the following:

    a. Adopt the Mitigated Negative Declaration prepared for the Humboldt Reserve, LLC project pursuant to section 15074 of the State CEQA guidelines; and

b. Finds that the proposed project complies with the General Plan and Zoning Ordinance; and

c. Approves the Conditional Use Permit subject to the recommended conditions of approval (Exhibit A); and

d. Adopts the Mitigation Monitoring Report in Attachment 1B.

DISCUSSION:

Project Location: The project is in the Hydesville area, west of the intersection of State Highway 36 and Yager Creek Road, on the property identified as 4798 State Highway 36

Present General Plan Land Use Designation: Mixed Use (MU). Carlotta / Hydesville Community Plan, 2017 General Plan. Density: Maximum 16 dwelling units per acre, Slope Stability: Low Instability (1), Moderate Instability (2)

Present Zoning: Heavy Industrial (MH) - Qualified (Q)

Environmental Review: An Initial Study/Mitigated Negative Declaration has been prepared pursuant to the California Environmental Quality Act (CEQA) Statute (Public Resources Code 21000-21189) and Guidelines (California Code of Regulations, Title 14, Division 6, Chapter 3, Sections 15000-15387).

State Appeal: Project is outside the Coastal Zone and is therefore NOT appealable to the California Coastal Commission

Major concerns: None identified.

Executive Summary: Conditional Use Permits for 235,008 square feet (5.39 acres) of enclosed indoor commercial cannabis cultivation, 44,064 square feet (1.01 acres) of enclosed commercial nursery, and a 2,400 square foot distribution facility. Three new commercial buildings are proposed. Building 1 will be 61,344 square feet, building 2 will be 62,208 square feet, and building 3 will be 181,440 square feet. All three building will include indoor cultivation, commercial nursery, and drying space. A total of 25,920 square feet of ancillary drying space is proposed across the three new buildings. The distribution facility will occur in a proposed expansion to an existing building. Ancillary onsite processing is proposed in an existing 4,800 square foot building and a proposed 40’ x 60’ building expansion. Irrigation water will be sourced from rainwater catchment and reclaimed water from dehumidifiers installed in the proposed buildings. Rainwater will supply approximately 65% of irrigation demand, and reclaimed water from dehumidifiers will supply approximately 35% of irrigation demand. Annual water usage for the entire project is estimated at 4.2 million gallons. Water storage will consist of a proposed 3.12-million-gallon catchment pond. The project will require 25 year -round employees and an additional 49 seasonal laborers during peak operations for a total of up to 74 employees. Electricity will be sourced from an eligible renewable energy program through PGE from

an existing power drop from a dedicated substation with a backup generator for emergency purposes only. Including all proposed improvements, the proposed project comprises approximately 381,087 square feet (8.7 acres) on a previously developed 33-acre former mill site.

Proposed Structures and Associated Areas:

Location	Indoor Cultivation	Enclosed Nursery	Distribution
<p> Building 1 (61,344 sq. ft.)	47,520 SF	8,640 SF	-
<p> Building 2 (62,208 sq. ft.)	47,520 SF	9,504 SF	-
<p> Building 3 (181,440 sq. ft.)	139,968 SF	25,920 SF	-
<e> 60’ x 80’ Processing Building w/ <p> 40’ x 60’ addition (<e> 4,800 sq. ft., <p> 7,200 sq. ft.)	-	-	2,400 SF
Totals	**235,008 sq. ft. (5.39 acres)**	**44,064 sq. ft. (1.01 acres)**	**2,400 sq. ft. (0.06 acres)**

Project Phasing: Construction activities are expected to begin in the summer or fall of 2023 after project approval, with the exact start date dependent on permit timing, dry weather, and suitable soil conditions.

Humboldt Reserve, LLC is proposing to stagger construction and build-out over a period of five years, as follows:

- Year 1: Construction of pond (as soon as possible after project approval) and begin construction of half of Building 2 (252’ x 132’).
- Year 2: Finish construction of Building 2 and operate, install septic system, and begin construction of Building 1.
- Year 3: Continue operating Building 2, finish construction of Building 1 and operate, start construction of processing building addition.
- Year 4: Continue operating Buildings 1 and 2, finish processing building addition construction, and start construction of Building 3.
- Year 5: Finish construction of Building 3, if applicable, and operate. Project built-out and fully in operation during this year.

Air Quality:
The duration of the construction during each year is expected to take approximately 10 weeks. All construction staging areas will be located within the proposed project area, on existing disturbed areas, and outside of all identified wetland and riparian setbacks. During construction, the following dust control measures shall be implemented:

- All exposed surfaces (e.g., parking areas, staging areas, soil piles, active graded areas, excavations, and unpaved access roads) shall be watered two times per day in areas of active construction.
- All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
- All vehicle speeds on unpaved roads shall be limited to 15 mph, unless the unpaved road

surface has been treated for dust suppression with water, rock, wood chip mulch, or other dust prevention measures.

- Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes. Clear signage shall be provided for construction workers at all access points.
- All construction and operation equipment shall be maintained and properly tuned in accordance with the manufacturer's specifications.

The above mitigation measures are incorporated into the mitigation monitoring report as AQ-1 (Attachment 1B).

Water Resources: Water for irrigation will be sourced from rainwater catchment and reclaimed water from dehumidifiers installed in the proposed buildings. The total irrigation demand for the proposed project is expected to be approximately 4.2 million gallons annually, including approximately 600,000 gallons for the commercial nursery and 3.6 million gallons for the cannabis cultivation. Irrigation would occur year-round and would total approximately 350,000 gallons per month. Monthly water usage at full build out is described in the table below.

Estimated Annual Irrigation Water Usage (x1,000 Gallons)													
	Jan	Feb	Mar	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Total
Nurser	50	50	50	50	50	50	50	50	50	50	50	50	**600**
5.39 A Cultiva	300	300	300	300	300	300	300	300	300	300	300	300	**3,600**
Total	**350**	**350**	**350**	**350**	**350**	**350**	**350**	**350**	**350**	**350**	**350**	**350**	**4,200**

Captured rainwater would serve as the primary water source, supplying approximately 65% of irrigation demand, approximately 2,520,000 gallons. Reclaimed water from dehumidifiers would serve to supplement rainwater and supply 35% of the irrigation demand, 1,680,000 gallons. Rainwater would be collected from roofs of structures and conveyed into a proposed 3.21-million-gallon capacity rainwater catchment pond, which would also collect and store rainwater. In addition, a minimum of 30 dehumidifier units would capture condensed water and convey it to the fertigation system. These units have the potential to capture approximately 12 gallons of water per hour, or 3,900 gallons per day. Using 30 units, this corresponds to approximately 140,000 gallons per month, or approximately 1.68-million gallons of water annually.

The total rainwater collection potential, including surface areas of the pond and buildings, is approximately 73,695 square feet. During an average rainfall year of 44 inches, the total catchment area would have the potential to collect 10,124,000 gallons of water. During an extreme drought year of 17 inches, the catchment area would be able to capture approximately 3,839,698 gallons of water which is still more than the projected 2,520,000-gallons of water needed from rainwater catchment. The extreme drought calculation is based on rainfall in 2013, which was the lowest rainfall year at the project site in the last 120 years.

Non-irrigation water for employees will be sourced from the rainwater catchment or drinking water brought to the site. A comment letter from the State Water Resources Control Board notes that because of the number of employees, the provision of domestic water for the project qualifies as a public water system. The Water Board encourages Humboldt Reserve to connect to Hydesville Water District. If a service connection is not possible, the Water Board informs that a State Water Resources Control Board, Division of Drinking Water, water supply permit will be required. The project is conditioned accordingly (**Condition of Approval A2)**.

There is an existing well on the project site that will not be used for the project. (**Condition of Approval A1)**. There is an existing unpermitted septic system that serves the existing onsite residence that will not be used for the project (**Condition of Approval B1)**.

A second onsite wastewater treatment system is proposed to serve the proposed project. The proposed leach field and septic tank would be located outside riparian setbacks. An Onsite Wastewater Treatment Suitability Letter designated two areas on the property that would be suitable for proposed leach fields associated with the new system. The restrooms within the processing facility and within the commercial indoor cultivation buildings, would be designed to meet Americans with Disabilities Act (ADA) standards of accessibility and would include a flushable toilet and a sink with cold and hot running water. Prior to construction, portable toilets and handwashing facilities would be provided onsite and serviced by a licensed provider. Referral comments from DEH state that processing activities must be supported by an approved onsite water treatment system and the project is conditioned accordingly (**Condition of Approval A3)**.

Biological Resources: The parcel is in the South Fork Yager Creek-Yager Creek watershed which is located within the greater Van Duzen River watershed. Ward Creek, a perennial (Class I) watercourse flows along the western property boundary. No other streams are located on the property. Ward Creek is a tributary to Yager Creek and eventually the Van Duzen River. The project has been designed to be outside of the 100-foot buffer from the riparian dripline of Ward Creek, per the Humboldt County Streamside Management Area Ordinance, as well as the 150-foot buffer from the top of creek bank, per the SWRCB Cannabis General Order. Mapped freshwater wetlands were located inside the banks of Ward Creek. No other wetlands were identified in the vicinity near the proposed project Area. No stream crossings exist onsite. CDFW has been notified of no jurisdictional items onsite, as there are no stream crossings, points of diversion, wetlands, or other items under CDFW jurisdiction proposed in the project area.

Naiad Biological Consulting conducted a query of the California Natural Diversity Database (CNDDB) and the California Native Plant Society (CNPS) database and collected information regarding the hydrologic, physiographic, habitat, and species-distribution of plant species, especially those with 1 or 2 rankings under the California Rare Plant Ranks (CRPR). A field survey was conducted on March 17th, 2022. Two floristic field surveys were conducted on May 1st, 2022, and July 15th, 2022. These surveys were conducted in accordance with the CDFW's "Protocols for Surveying and Evaluating Impacts to Sensitive Status Native Plant Populations and Natural Communities" (2018) and were timed to maximize the floristic periods of potential rare plants. The

survey encompassed the entire proposed project area.

A total of 51 special-status plant species, including one bryophyte, one lichen, and 49 vascular plant species, were identified in the initial query of databases. The Report noted that there was documented occurrence of one special-status plant species, maple leaved checkerbloom (*Sidalcea malachroides*), within a one-mile radius of the proposed project. The species was not observed onsite. The Botanical Report concluded that none of the listed species, including CRPR 1 or 2 rare plants, were observed onsite during the survey. No further botanical surveys were recommended.

Two special-status habitat communities were queried in the CNDDB BIOS search in the 7.5-minute USGS Hydesville quadrangle and 8 adjacent quadrangles: Upland Douglas Fir Forest and Northern Coastal Salt Marsh. Neither of these communities were identified onsite. California Vegetative Alliances identified within the proposed project site include Urban-Related Bare Soil, Red Alder Alliance, and Redwood Alliance, with all project development located on the Urban-Related Bare Soil alliance. No special-status vegetation communities were identified during the survey. The Botanical Report concluded that the proposed project is in a heavily disturbed industrial zone devoid of rare plants.

A total of eleven special-status wildlife species were identified as having documented occurrences within a 2-mile radius of the proposed project. No other species were identified as having high potential to occur onsite, due to the lack of habitat and the industrial nature of the site.

Two amphibian species have documented occurrences within 2-miles of the proposed project site and were investigated in the Biological Report: the Northern red-legged frog (*Rana aurora*) and the Foothill yellow-legged frog (*Rana boylii*). Both species were identified in the Biological Report as having a low to moderate potential to occur within the project site, as the species could inhabit onsite watercourses. All proposed development would adhere to setbacks and buffers from this stream. No habitat for either species is directly located within the proposed project area. The Biological Report concluded that the proposed project is not anticipated to cause any harm or take of either of these two amphibian species if riparian buffers are met. However, as amphibians can migrate, preconstruction surveys are recommended to assure no individuals are located within the area proposed for development during construction. This has been incorporated as Mitigation Measure BIO-1 (Attachment 1B). With implementation of this mitigation measure, impacts to amphibians from the proposed project would not be significant.

One reptile species had a documented occurrence within 2-miles of the proposed project site, the Western pond turtle (*Emys marmorata*). The Western pond turtle could utilize onsite aquatic resources, or the pond associated with the Proposed Project. The Biological Report concluded that the Proposed Project is not anticipated to cause any harm or take of this species if riparian buffers are met. However, as this species can terrestrially migrate, preconstruction surveys are recommended to assure no individuals are located within the area proposed for development during construction. This has been incorporated as Mitigation Measure BIO-1 (Attachment 1B).

Four bird species have documented occurrences within 2-miles of the proposed project site and were

further investigated in the Biological Report: the bank swallow (*Riparia riparia*), the American peregrine falcon (*Falco peregrinus anatum*), the osprey (*Pandion haliaetus*), and the Great blue heron (*Ardea Herodias*). No specific habitat within the proposed project site was determined to be suitable for nesting of any of these bird species. However, construction and operation of the proposed project may have the potential to disturb sensitive bird species by impacting nesting or foraging habitat during construction, or by ongoing noise and light pollution during operation. Therefore, the Biological Report recommends pre-construction bird surveys for raptors and nesting birds if construction occurs during nesting season, which is between February 1st and August 31st. This has been incorporated as Mitigation Measure BIO-2 (Attachment 1B).

The Biological Report also investigated and discussed potential impacts from the proposed project to Northern spotted owls (*Strix occidentalis caurina*). The nearest known Northern spotted owl Activity Center is located approximately 1.10 air miles southeast (HUM1110). Additional Activity centers are located approximately 1.20 air miles northeast (HUM0689), and approximately 1.26 air miles east (HUM 10370). The Biological Report states that the area assessed for the Proposed Project does not have Northern Spotted Owl habitat preference due to the "size, structure, and species of the trees within the Study Area, and is therefore not likely utilized for nesting, roosting, or foraging/hunting by Northern Spotted Owls." The Biological Report did find that there is moderate suitable habitat for Northern Spotted Owls in the area surrounding the proposed project, however, if the proposed project does not generate noise levels of 70 dB or greater and does not produce light pollution, no impacts to Northern Spotted Owls are anticipated.

The biological surveys concluded that approximately 36% of species identified onsite are classified as invasive grasses. Implementation of the project is anticipated to reduce the presence of invasive species. Additional recommendations include requiring erosion and sediment control measures that utilize textiles that are made of loose-weave mesh (e.g., not plastic or nylon monofilament netting) to prevent wildlife entrapment which are incorporated as a condition of approval (**Condition of Approval C5)**.

With mitigation measures BIO-1 and BIO-2, adherence to the performance standards in the CCLUO, compliance with the SWRCB Cannabis General Order and Policy, and adherence to the recommendations in the Biological Report, the Proposed Project will not have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive or special status species in local or regional plans, policies, or regulations, or by the CDFW or USFWS.

Adaptive Reuse of Industrial Site: The proposed project meets all performance standards described in HCC 314-55.4.12.12. The proposed project will occur in new commercial buildings that will comply with development standards of the Heavy Industrial (MH) zone. The addition to the existing building will not prevent future re-occupancy by new uses compatible with the MH zone.

The project site has historically been used for industrial purposes. A Phase I Environmental Site Assessment (ESA) was completed for the subject property on May 9th, 2022. A Phase II ESA was completed for the subject property on May 25th, 2022. Both reports were conducted by Freshwater

Environmental Services. The Phase I Environmental Site Assessment identified three Recognized Environmental Conditions (RECs) at the site, including: 1) the former presence of two conical burners on APN 205-251-001; 2) the former presence of a lumber mill green chain where wood-treatment chemicals may have been used on APN 204-251-001; and 3) the former presence of several large electrical transformers that may have contained PCBs on APN 204-121-005. Following these identified RECs, a Phase II Environmental Site Assessment was conducted to further investigate and test the REC areas. A total of five shallow test pits were dug, including two test pits near the former conical burners, two test pits near the former lumber mill green chain, and one test pit near the former electrical transformer pad. Soil samples were taken on May 3, 2022. Soil was collected and taken to California ELAP-certified laboratories to test for dioxins/furans, pentachlorophenol (PCP) and tetrachlorophenol (TCP), and polychlorinated bi-phenyls (PCBs). Soil testing results found presence of dioxins at the two soil sample locations near the former conical burner locations at concentrations of 0.0266 pg/g TEQ and 0.0201 pg/g TEQ. These concentrations are significantly less than the Department of Toxic Substances Control screening level thresholds for commercial and industrial land uses, which range from 220 to 700 pg/g TEQ. No detections of PCP or TCP were identified in the test pits located near the former green chain area, and no PCBs were detected near the former transformer area. Based on these subsurface soil sample results, no further testing or action related to the onsite RECs was recommended.

Consistency with the Qualified Combining Zone (Q): On December 16, 1986, the Board of Supervisors adopted ordinance 1771 which established a (Q) Qualified Combining zone to APN 204-251-001. The proposed project is consistent and in conformance with the purposes described in Section 3 of the ordinance which seeks to reserve the property for industrial uses; protect neighboring property from inappropriate industrial development; and provide public and technical review of projects as may be proposed for the property. Because the project complies with the adaptive reuse of industrial sites performance standards of the CCLUO; meets the setbacks of the CCLUO and the MH zone; and the initial study and mitigated negative declaration provides for public and technical review, the purpose of the Q zone is met. Section 4 of the ordinance places special restrictions on the property but allows, as a principal permitted use, general agriculture. The cultivation of cannabis, even at commercial scale, is an agriculture product similar to other general agricultural uses. The cannabis activities are being proposed within buildings that can be used for other industrial purposes if the cannabis activities are no longer conducted on this site. The cannabis activities will be contained in an enclosed structure so there will not be an adverse impact upon the surrounding area. Based upon these factors it is appropriate to find that the proposed cannabis activities are consistent with the Q Zone and approve the Conditional Use Permit.

Geologic Suitability: The project parcels are mapped as areas of low instability. There are no mapped historic landslides in the vicinity of the proposed project on the Humboldt Web GIS Hazards Mapping layers. Due to the distance to the nearest mapped landslides and the existing site slopes that are less than 15%, the risk of slope failure at the project site is considered low.

The Project includes earthwork for the proposed buildings and for construction of the pond. Although the site has been previously developed, it is possible that excavation for the pond could unearth paleontological resources. The depth of pond excavation is estimated at 14 feet in depth below grade

and the previous depth of excavation in that area is unknown. Additionally, regional uplifting and other seismic activity in the area have limited the potential for discovery of paleontological resources. Due to this, there is a potential for fossils to be discovered and inadvertently damaged during project construction even in an area with a low likelihood of occurrence. As such an inadvertent discovery protocol for paleontological resources has been included as Mitigation Measure GEO-1 (Attachment 1B). With the proposed Mitigation Measure GEO-1, the Proposed Project would not directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.

Timber Conversion: The project does not involve timberlands and CalFire responded to the project referral with no comment.

Access: The project site is accessed from State Highway 36. Two driveways access the subject property. The westernmost driveway is a paved access with a 48-foot apron and a 24-foot road width. This access driveway is the primary entrance proposed for traffic associated with the project. The eastern driveway is used for secondary access and is approximately 23 feet in width. The eastern driveway is not proposed as a main access point for this project. The onsite road network is graveled and flat. A Road System Assessment was conducted by NorthPoint Consulting Group, Inc. in February of 2022 and concluded that the entire onsite road network is functionally equivalent to a Category 4 road standard. The entire onsite road network is in good condition and is comprised of existing gravel and natural-surface roads. No improvements to the onsite road network were recommended in the Road System Assessment. Fire turn-around areas are proposed near the cultivation areas. A total of 74 parking spaces including two 2 ADA-compliant parking spaces, would be located near the proposed buildings.

The project was referred to CalTrans which responded with recommendations to use the west driveway as the primary access and reserve the east driveway for emergency access only. CalTrans also recommends that improvements be made to the commercial road approaches. The project is conditioned accordingly (**Condition of Approval A4)**.

A total of 25 full-time, year-round employees are proposed to operate the site, including five managers, two security personnel, and 18 laborers. An additional 49 seasonal laborers are proposed during peak seasonal activities (e.g., harvesting, processing). Seasonal laborers would be onsite no more than 6 months per year. In total, up to 74 personnel would be located onsite during peak season at full build-out.

Referral response from the Fortuna Fire Protection District requested visible addressing, a minimum dedicated fire suppression source, and access and turnaround facilities meet certain specifications. The project is conditioned requiring the permittee to coordinate with the Fire District and obtain approval of fire protection infrastructure and facilities prior to operating (**Condition of Approval A5)**.

Tribal Consultation: The project is within the historic aboriginal territory of the Bear River Band of the Rohnerville Rancheria and the Wiyot tribe. The project was referred to the Northwest Information Center at Sonoma State, Bear River, and the Wiyot. A Cultural Resources Investigation dated April 2022 was performed by William Rich and Associates. The investigation final report was reviewed by

the Bear River Tribal Historic Preservation Office which recommended the standard inadvertent discovery protocol which has been incorporated into the project as a condition of approval **(Condition of Approval C1).**

The Cultural Resources Investigation Report identified no historical resources as defined by Section 15064.5 within the Proposed Project area or property, nor were there any previous records of historical resources located on the subject property. As required by AB 52, the County of Humboldt sent requests on March 21, 2023, for formal consultation to the Bear River Band of the Rohnerville Rancheria, Blue Lake Rancheria, Big Lagoon Rancheria, Cher-Ae Heights Indian Community of the Trinidad Rancheria, Hoopa Valley Tribe, Karuk Tribe, Round Valley Reservation/ Covelo Indian Community, Shasta Indian Nation, Shasta Nation, Tsnungwe Council, Wiyot Tribe, and Yurok Tribe. No requests for consultation were received. With the incorporation of proposed Mitigation Measure CUL-1 (Attachment 1B), the impact would be less than significant.

Security and Safety: The property is accessed through an entry gate that always remains locked. Cultivation facilities (greenhouses, storage buildings, drying/processing facility) will only be accessible through the locked gate. Access to the area is limited to employees and approved personnel including agency staff, consultants, and distributors. A 10'x12' security shed will be stationed at the entrance gate and used by security staff. Up to two security employees would be employed by the project.

Resolution 18-43 Consistency: Approval of this project is consistent with Humboldt County Board of Supervisors Resolution No. 18-43 which established a limit on the number of permits and acres which may be approved in each of the County's Planning Watersheds. The project site is in the Van Duzen Planning Watershed, which under Resolution 18-43 is limited to 425 permits and 146 acres of cultivation. With the approval of this project the total approved permits for cultivation in this Planning Watershed would be 128 permits and the total approved acres would be 47.96 acres of cultivation.

OTHER AGENCY INVOLVEMENT:
The project was referred to responsible agencies and all responding agencies have either responded with no comment or recommended approval or conditional approval. (Attachment 5)

ALTERNATIVES TO STAFF RECOMMENDATIONS:
The Planning Commission could elect not to approve the project, or to require the applicant to submit further evidence, or modify the project. Modifications may cause potentially significant impacts, additional CEQA analysis and findings may be required. These alternatives could be implemented if the Commission is unable to make all the required findings. Staff analysis has concluded that the required findings in support of the proposal can be made. Staff does not recommend further consideration of alternatives.

Staff prepared a thorough environmental analysis which included the preparation of an IS/MND pursuant to the CEQA Statute (Public Resources Code 21000-21189) and Guidelines (California Code of Regulations, Title 14, Division 6, Chapter 3, Sections 15000-15387). The Commission could also

decide the project may have environmental impacts that would require further environmental review pursuant to CEQA. Staff did not identify any potentially significant unmitigable impacts.

ATTACHMENTS:

1. Resolution
    A. Conditions of Approval
    B. Mitigation Monitoring Report
2. Location Maps
3. Initial Study / Mitigated Negative Declaration
    A. Appendix 1 - Site Plan and Operations Plan
    B. Appendix 2 - Technical Studies
4. Applicant's Evidence in Support of the Required Findings
5. Referral Agency Comments and Recommendations
6. Public Comments
    A. State Water Resources Control Board Letter
    B. Public Comment Letter from Kate Macnab
7. Watershed Map

Applicant
Humboldt Reserve, LLC
4798 HWY 36
Hydesville, CA 95547

Owner
Lost Coast Organics, LLC
4798 HWY 36
Hydesville, CA 95547

Agent
North Point Consulting Group, Inc.
1117 Samoa Blvd.
Arcata, CA 95521

Please contact Steven A. Santos, Senior Planner, at sasantos@co.humboldt.ca.us or 707-268-3749 if you have questions about this item.