



COUNTY OF MENDOCINO
DEPARTMENT OF PLANNING AND BUILDING SERVICES

860 NORTH BUSH STREET • UKIAH • CALIFORNIA • 95482
120 WEST FIR STREET • FT. BRAGG • CALIFORNIA • 95437

BRENT SCHULTZ, DIRECTOR
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FAX: 707-463-5709
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pbs@mendocinocounty.org
www.mendocinocounty.org/pbs

April 26, 2019

Department of Transportation
Environmental Health - Ukiah
Building Inspection - Ukiah
Forestry Advisor
Air Quality Management

Sonoma State University
CalFire – Prevention
CalFire – Resource Management
Department of Fish and Wildlife
Long Valley Fire District

Cloverdale Rancheria
Redwood Valley Rancheria
Sherwood Valley Band of Pomo Indians

CASE#: AP_2019-0029

DATE FILED: 3/29/2019

OWNER: TODD & SHINAH GRYZWANA

APPLICANT: WADE WILLIAMS

REQUEST: Administrative Permit for a large outdoor cannabis cultivation site (Type 2B (10,000 sq. ft.); AG_2017-0400) of no more than 10,000 sq. ft. of canopy.

LOCATION: 3.4± miles northwest of Branscomb town center, lying on the east side of Wilderness Lodge Road (CR 320), 1.4± northeast of its intersection with Branscomb Road (CR 429), located at 40357 Wilderness Lodge Rd., Branscomb (APN: 013-380-21).

ENVIRONMENTAL DETERMINATION: Categorically Exempt

SUPERVISORIAL DISTRICT: 4

STAFF PLANNER: MARK CLISER

RESPONSE DUE DATE: May 10, 2019

PROJECT INFORMATION CAN BE FOUND AT:

<https://www.mendocinocounty.org/government/planning-building-services/public-agency-referrals>

Mendocino County Planning & Building Services is soliciting your input, which will be used in staff analysis and forwarded to the appropriate public hearing. You are invited to comment on any aspect of the proposed project(s). Please convey any requirements or conditions your agency requires for project compliance to the project coordinator at the above address, or submit your comments by email to pbs@mendocinocounty.org. Please note the case number and name of the project coordinator with all correspondence to this department.

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

- ☐ No comment at this time.
- ☐ Recommend conditional approval (attached).
- ☐ Applicant to submit additional information (attach items needed, or contact the applicant directly, copying Planning and Building Services in any correspondence you may have with the applicant)
- ☐ Recommend denial (Attach reasons for recommending denial).
- ☐ Recommend preparation of an Environmental Impact Report (attach reasons why an EIR should be required).
- ☐ Other comments (attach as necessary).

REVIEWED BY:

Signature _____ Department _____ Date _____

AP_2019-0029
TODD & SHINAH GRYZWANA
2367 LAPIS LN
SANTA ROSA, CA 95404

AP_2019-0029
WADE WILLIAMS
40357 WILDERNESS LODGE RD.
BRANSCOMB, CA 95417

OWNER: TODD & SHINAH GRYZWANA

APPLICANT: WADE WILLIAMS

AGENT: N/A

REQUEST: Administrative Permit for a large outdoor cannabis cultivation site (Type 2B (10,000 sq. ft.); AG_2017-0400) of no more than 10,000 sq. ft. of canopy.

LOCATION: 3.4± miles northwest of Branscomb town center, lying on the east side of Wilderness Lodge Road (CR 320), 1.4± northeast of its intersection with Branscomb Road (CR 429), located at 40357 Wilderness Lodge Rd., Branscomb (APN: 013-380-21).

APN/S: 013-380-21-00

PARCEL SIZE: 8± acres

GENERAL PLAN: FL:160
ZONING: FL:160

EXISTING USES: Residential; Cannabis

DISTRICT: 4

RELATED CASES: BF_2019-0270 (EXISTING HOOP HOUSE); BF_2019-0269 (EXISTING HOOP HOUSE); BF_2018-0541 (AMNESTY STORAGE DRYING SHED); AG_2017-0400 (AGRICULTURE); BF_2005-0815 (POWER TO AG WELL); PP_2017-0483 (PROPERTY PROFILE)

	ADJACENT GENERAL PLAN	ADJACENT ZONING	ADJACENT LOT SIZES	ADJACENT USES
NORTH:	FL160	FL160	20± acres; 20± acres	Institutional
EAST:	FL160	TP160	60± acres	Institutional
SOUTH:	FL160	FL160	12.25± acres	Institutional
WEST:	FL160	FL160	3± acres	Institutional

REFERRAL AGENCIES		
<u>LOCAL</u>	<input checked="" type="checkbox"/> Long Valley Fire District	<u>TRIBAL</u>
<input checked="" type="checkbox"/> Air Quality Management District	<input checked="" type="checkbox"/> Sonoma State University	<input checked="" type="checkbox"/> Cloverdale Rancheria
<input checked="" type="checkbox"/> Building Division Ukiah	<u>STATE</u>	<input checked="" type="checkbox"/> Redwood Valley Rancheria
<input checked="" type="checkbox"/> Department of Transportation (DOT)	<input checked="" type="checkbox"/> CALFIRE (Land Use)	<input checked="" type="checkbox"/> Sherwood Valley Band of Pomo Indians
<input checked="" type="checkbox"/> Environmental Health (Ukiah)	<input checked="" type="checkbox"/> CALFIRE (Resource Management)	
<input checked="" type="checkbox"/> Forestry Advisor	<input checked="" type="checkbox"/> California Dept. of Fish & Wildlife	

ADDITIONAL INFORMATION:

STAFF PLANNER: MARK CLISER

DATE: 4/25/2019

ENVIRONMENTAL DATA

1. MAC:

GIS

2. FIRE HAZARD SEVERITY ZONE:

CALFIRE FRAP maps/GIS

High

3. FIRE RESPONSIBILITY AREA:

CALFIRE FRAP maps/GIS

Long Valley; CALFIRE

4. FARMLAND CLASSIFICATION:

GIS

5. FLOOD ZONE CLASSIFICATION:

FEMA Flood Insurance Rate Maps (FIRM)

NO

6. COASTAL GROUNDWATER RESOURCE AREA:

Coastal Groundwater Study/GIS

7. SOIL CLASSIFICATION:

Mendocino County Soils Study Eastern/Western Part

Western Soil Types

8. PYGMY VEGETATION OR PYGMY CAPABLE SOIL:

LCP maps, Pygmy Soils Maps; GIS

9. WILLIAMSON ACT CONTRACT:

GIS/Mendocino County Assessor's Office

NO

10. TIMBER PRODUCTION ZONE:

GIS

NO

11. WETLANDS CLASSIFICATION:

GIS

12. EARTHQUAKE FAULT ZONE:

Earthquake Fault Zone Maps; GIS

NO

13. AIRPORT LAND USE PLANNING AREA:

Airport Land Use Plan; GIS

NO

14. SUPERFUND/BROWNFIELD/HAZMAT SITE:

GIS; General Plan 3-11

NO

15. NATURAL DIVERSITY DATABASE:

CA Dept. of Fish & Wildlife Rarefind Database/GIS

NO

16. STATE FOREST/PARK/RECREATION AREA ADJACENT:

GIS; General Plan 3-10

17. LANDSLIDE HAZARD:

Hazards and Landslides Map; GIS; Policy RM-61; General Plan 4-44

18. WATER EFFICIENT LANDSCAPE REQUIRED:

Policy RM-7; General Plan 4-34

19. WILD AND SCENIC RIVER:

www.rivers.gov (Eel Only); GIS

20. SPECIFIC PLAN/SPECIAL PLAN AREA:

Various Adopted Specific Plan Areas; GIS

21. STATE CLEARINGHOUSE REQUIRED:

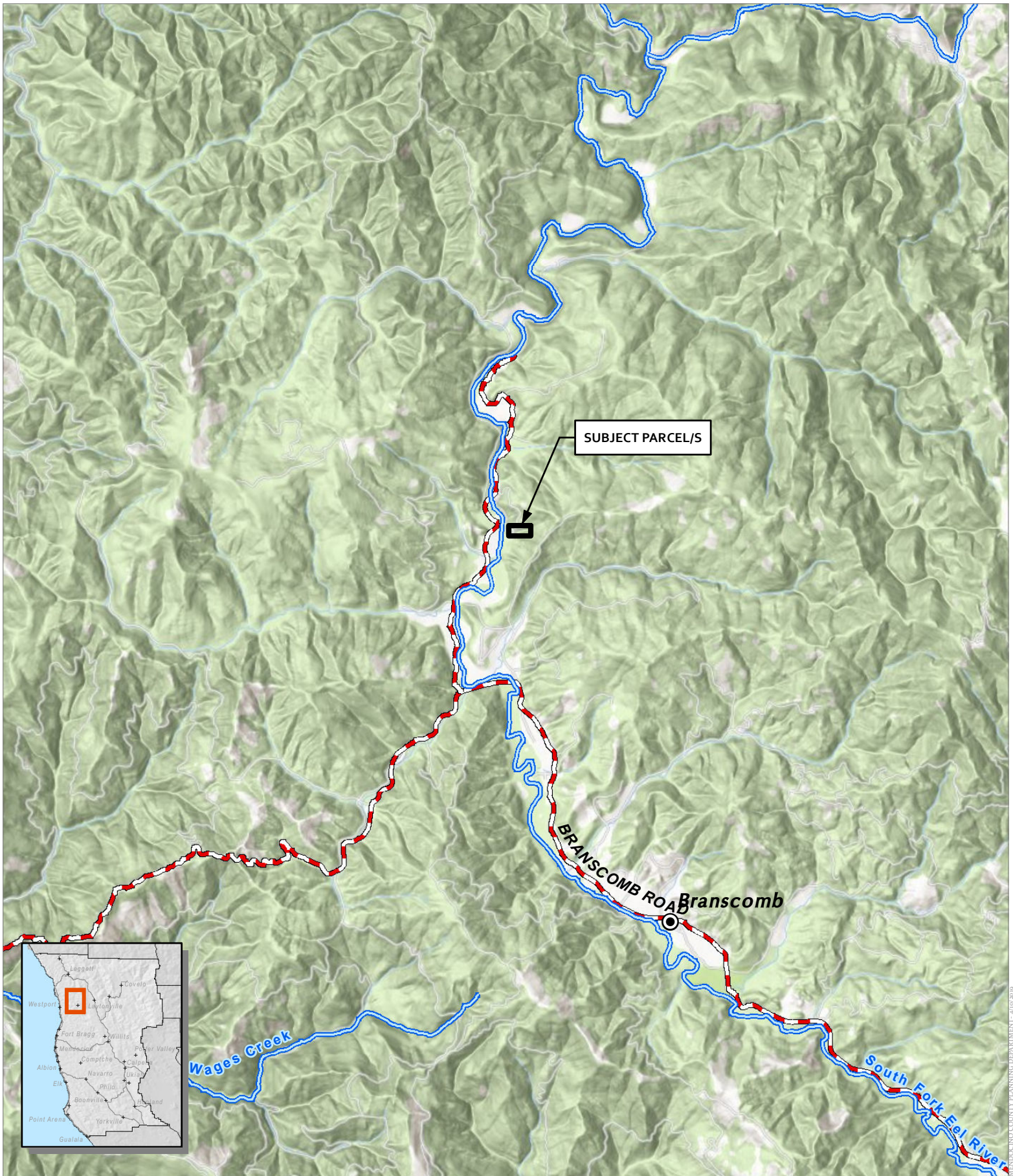
Policy

22. OAK WOODLAND AREA:




USDA

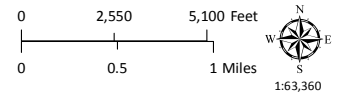
23. HARBOR DISTRICT:

Sec. 20.512

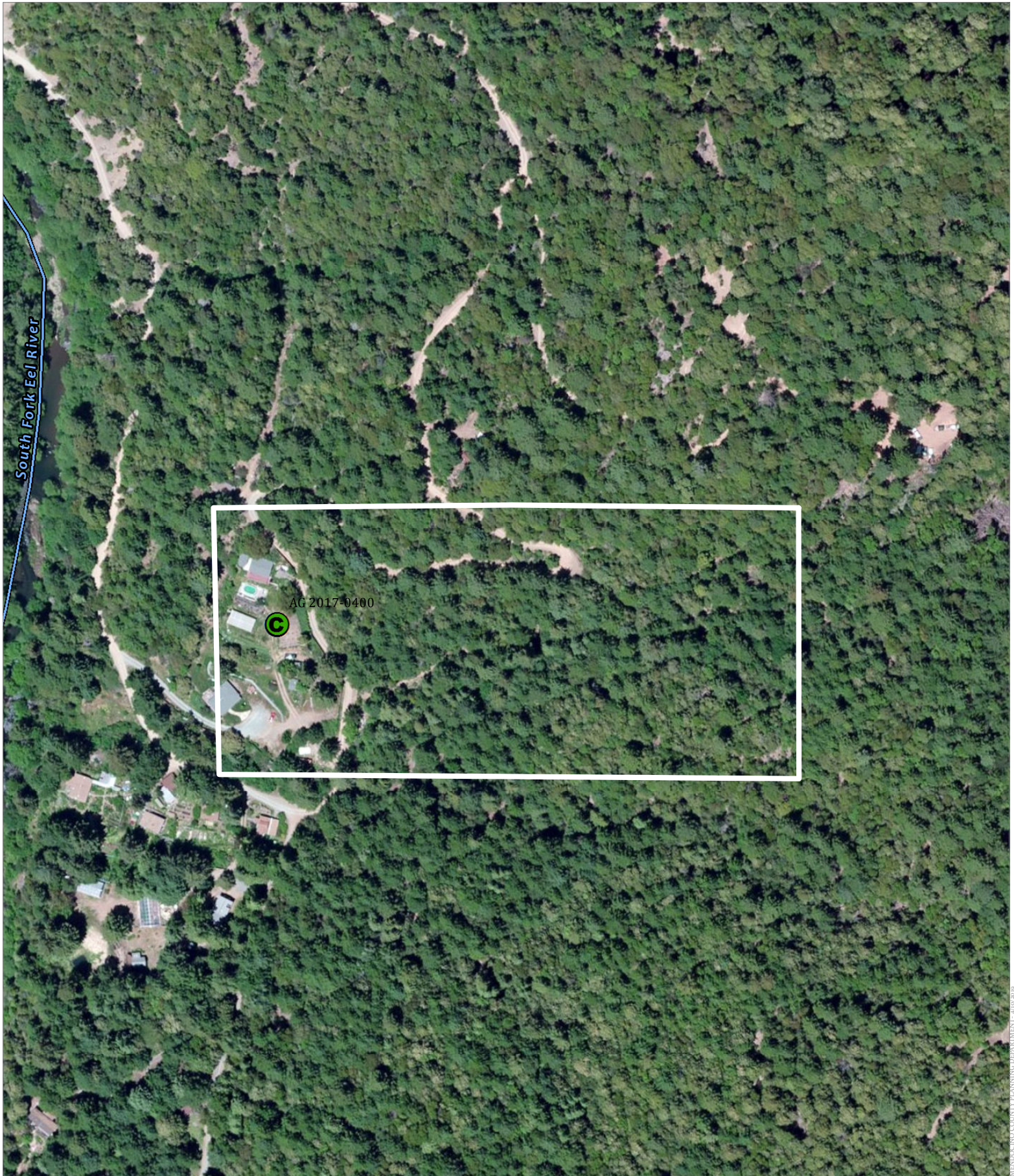


CASE: **AP 2019-0029**
 OWNER: **GRYZWANA, Todd & Shinah**
 APN: **013-380-21**
 APLCT: **Wade Williams**
 AGENT:
 ADDRESS: **40357 Wilderness Lodge Road, Branscomb**

-  Major Towns & Places
-  Major Rivers
-  Major Roads



LOCATION MAP



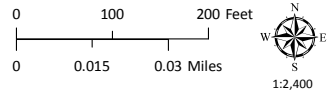
CASE: AP 2019-0029
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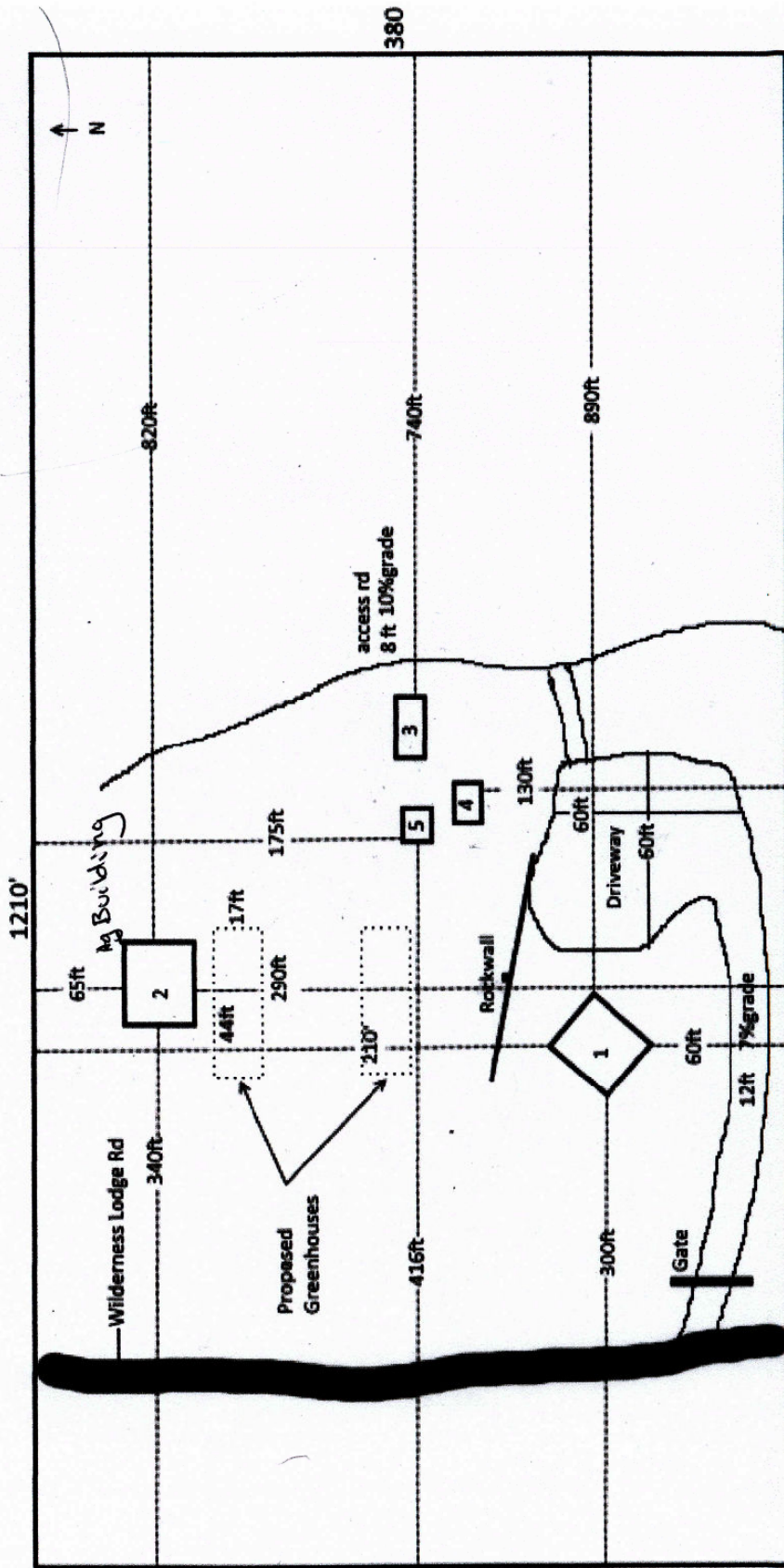
Cannabis Cultivation Sites



Named Rivers



AERIAL IMAGERY



Shinah Cole

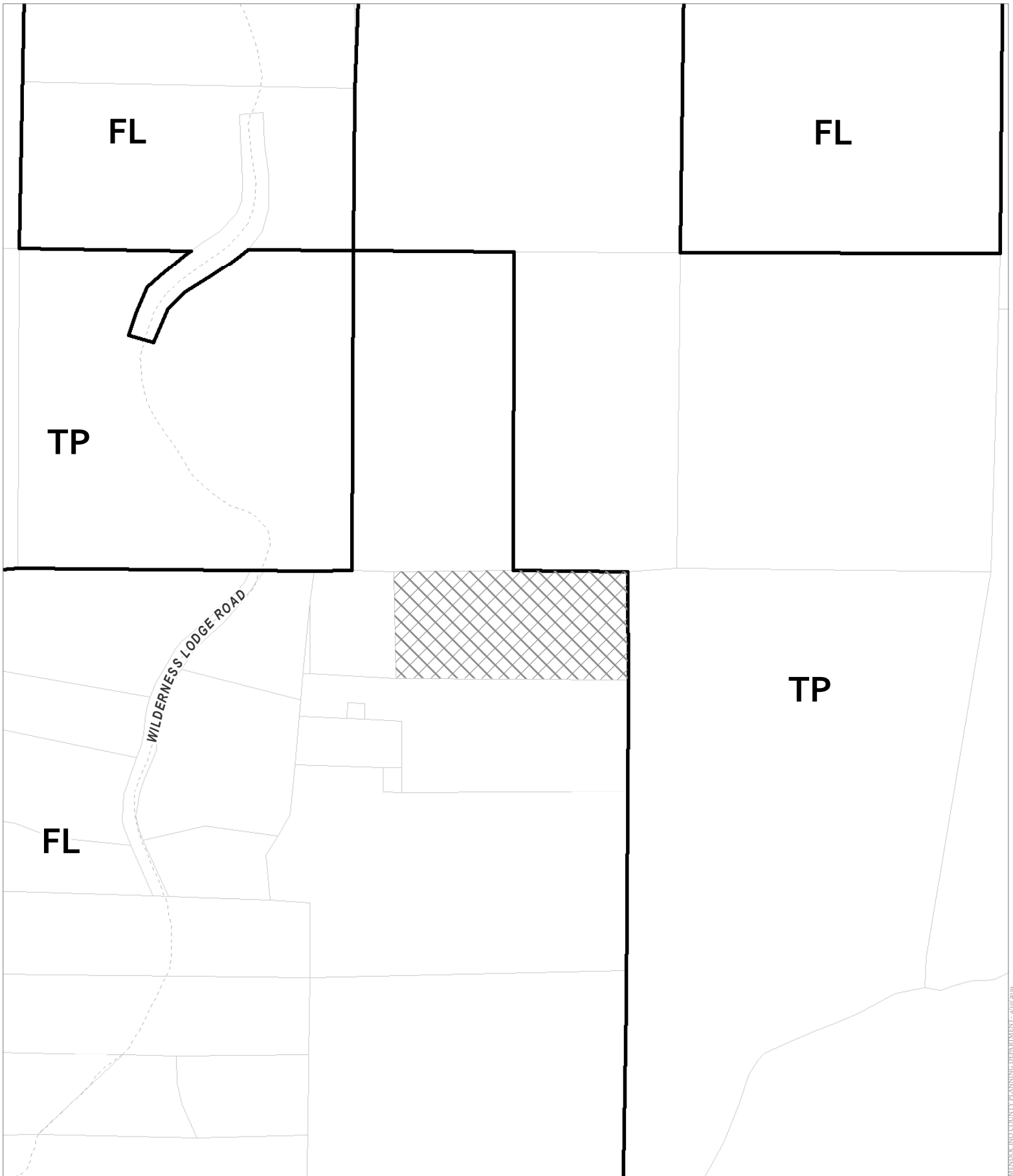
40357 Wilderness Lodge Rd Branscomb Ca 95471

013-380-2100,013-380-0900,013-380-6000

CASE: AP 2019-0029
 OWNER: GRYZWANA, Todd & Shinah
 APN: 013-380-21
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NO SCALE

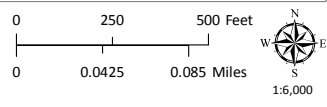
SITE PLAN



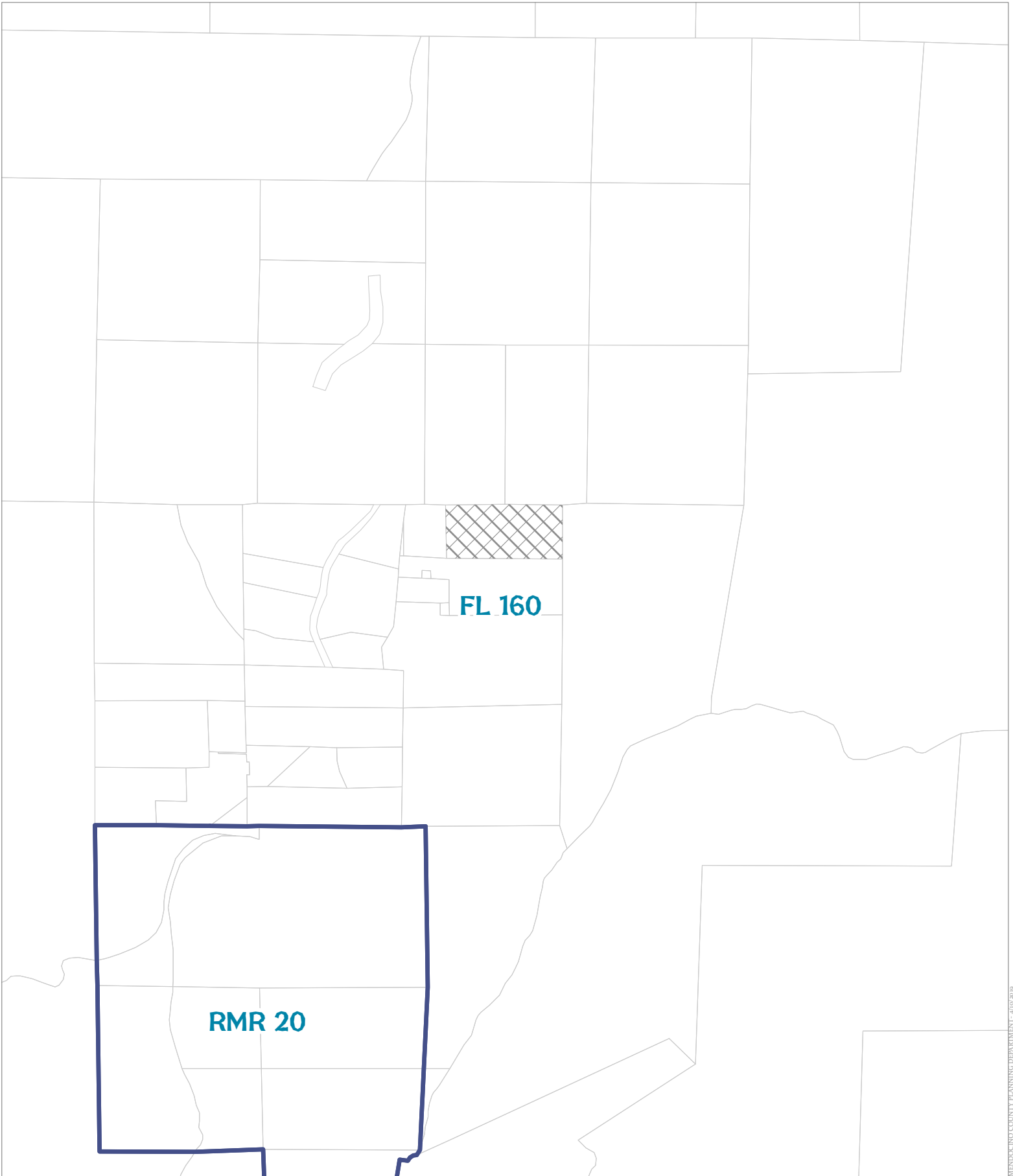
MENDOCINO COUNTY PLANNING DEPARTMENT - 4/10/2019

CASE: AP 2019-0029
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APN: 013-380-21
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 Zoning Districts
 Public Roads



ZONING DISPLAY MAP

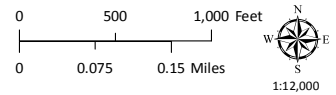


MENDOCINO COUNTY PLANNING DEPARTMENT - 4/10/2019

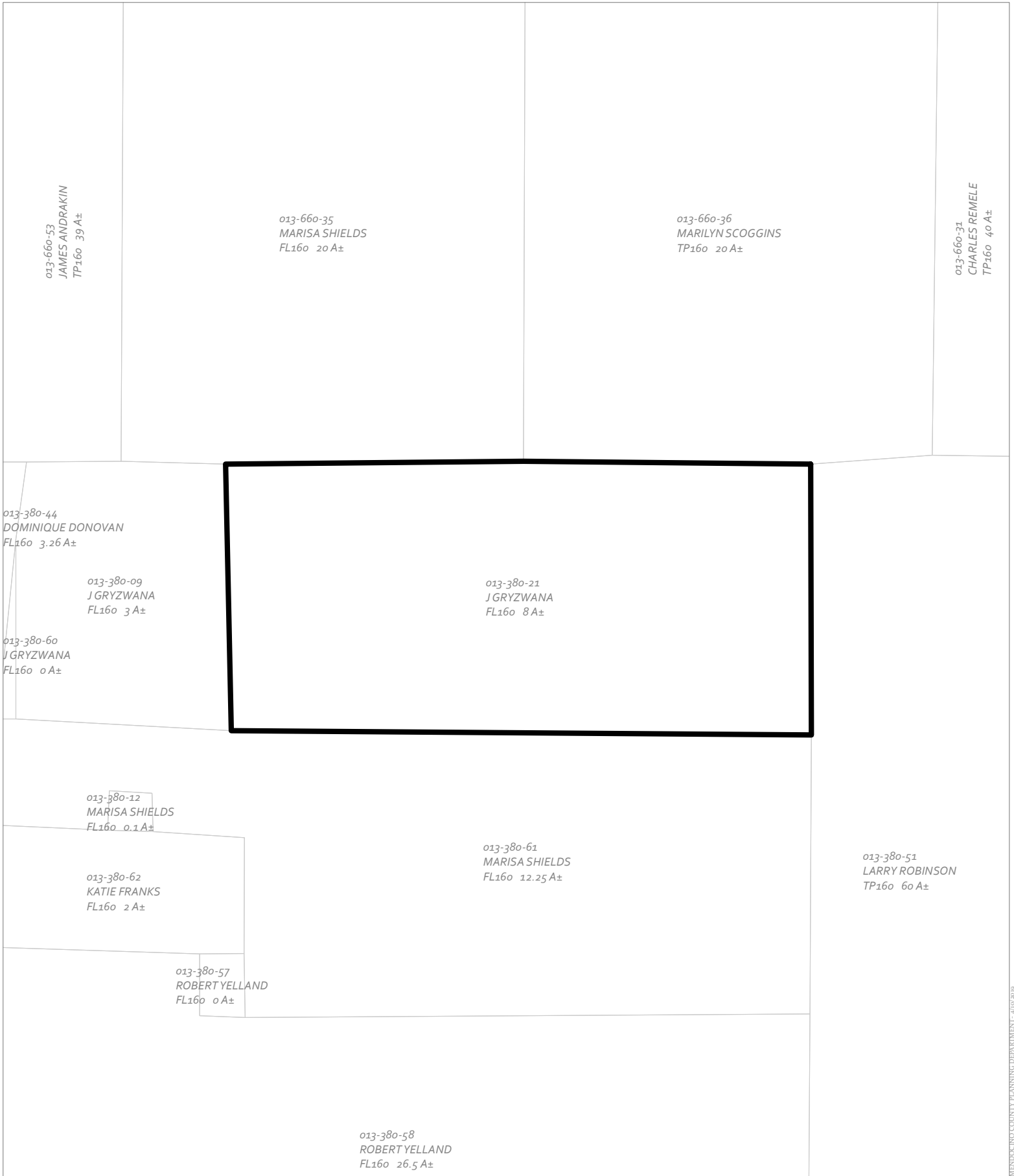
CASE: AP 2019-0029
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General Plan Classes

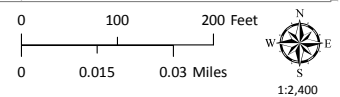


GENERAL PLAN CLASSIFICATIONS

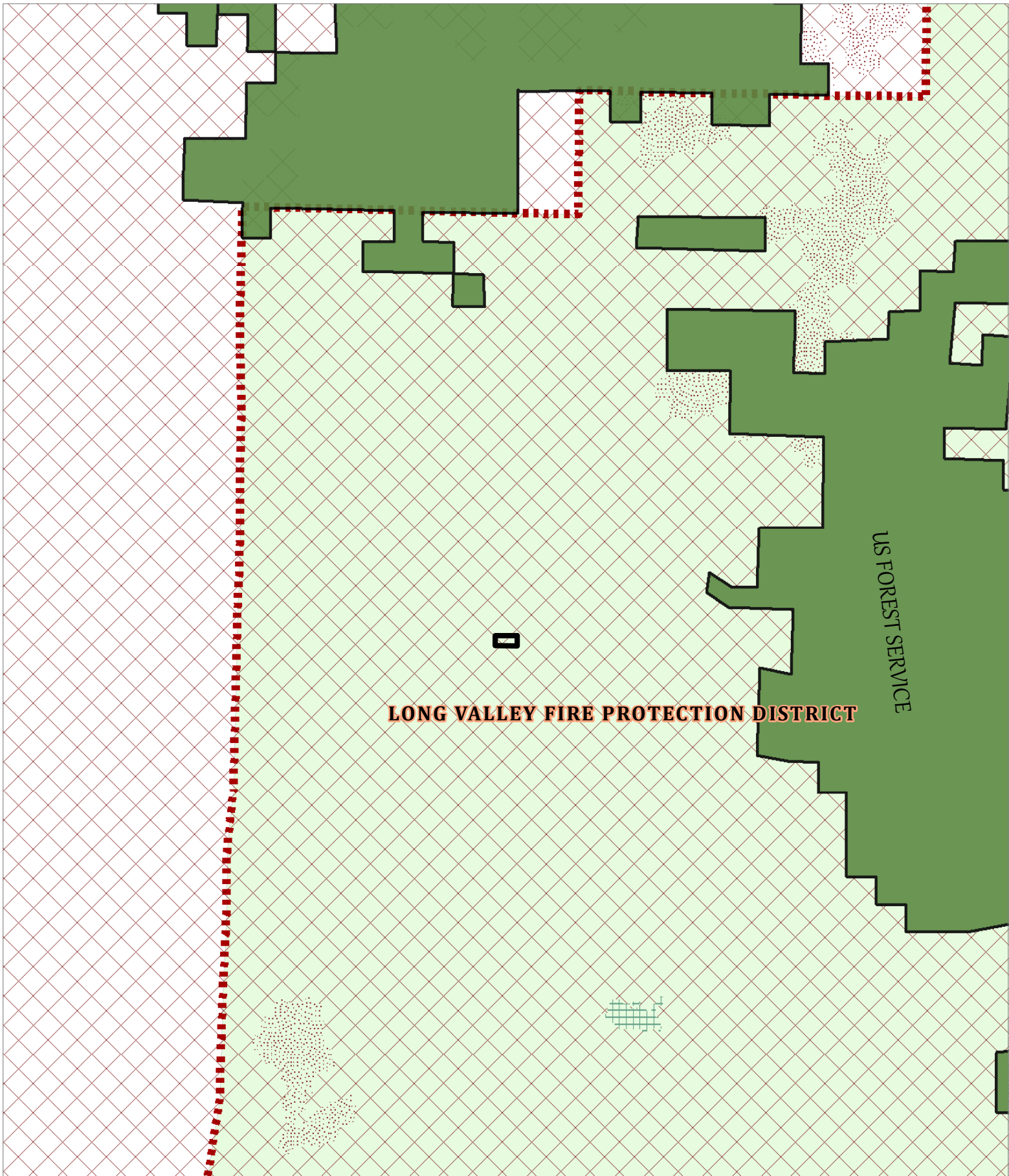


MENDOCINO COUNTY PLANNING DEPARTMENT - 4/10/2019

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APN: 013-380-21
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ADDRESS: 40357 Wilderness Lodge Road, Branscomb



ADJACENT PARCELS



CASE: AP 2019-0029
OWNER: GRYZWANA, Todd & Shinah
APN: 013-380-21
APLCT: Wade Williams
AGENT:
ADDRESS: 40357 Wilderness Lodge Road, Branscomb

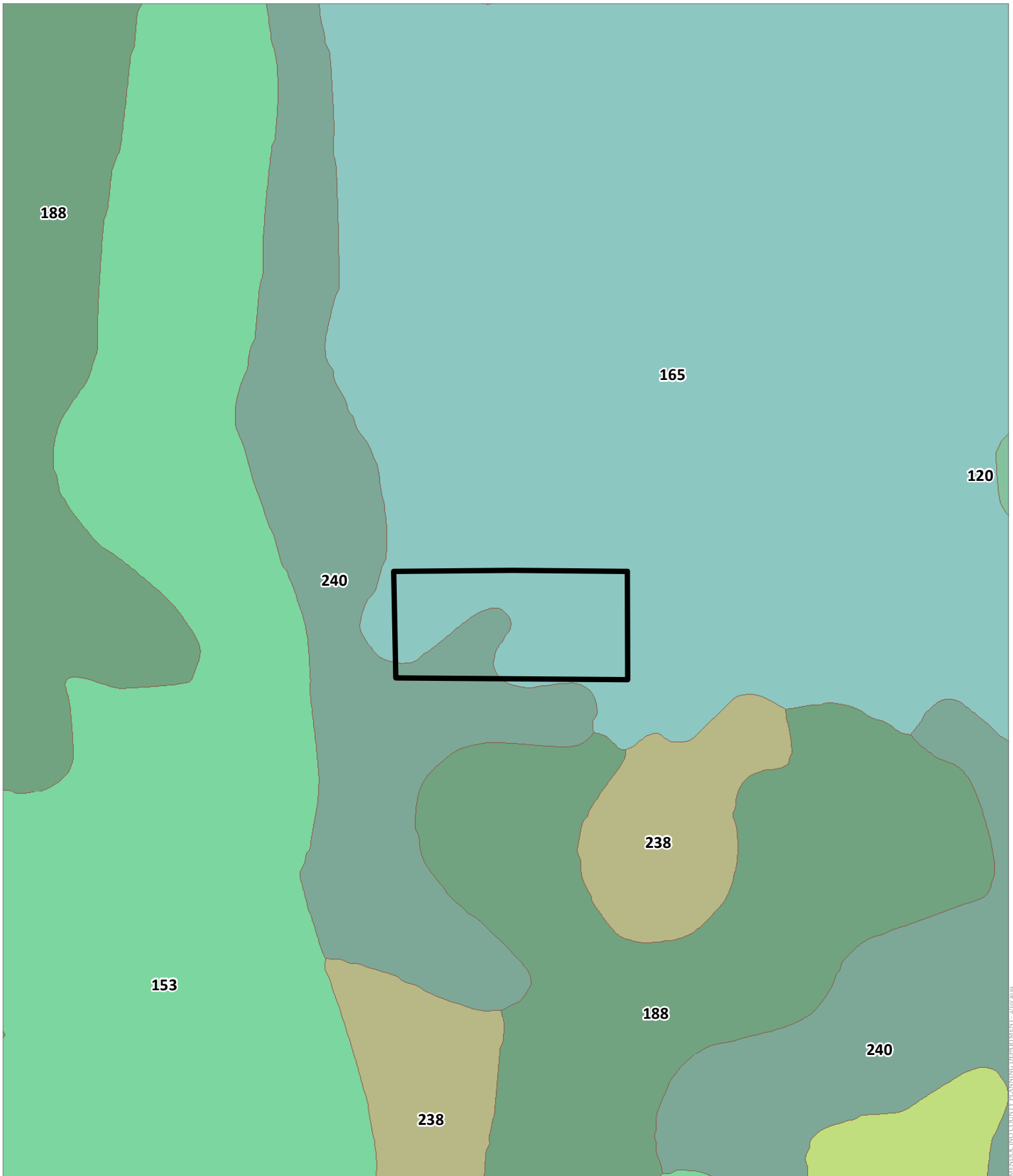
Very High Fire Hazard
High Fire Hazard
Moderate Fire Hazard

County Fire Districts

0 2,550 5,100 Feet
0 0.5 1 Miles
1:63,360

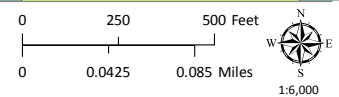
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FIRE HAZARD ZONES & RESPONSIBILITY AREAS
STATE RESPONSIBILITY AREA



CASE: AP 2019-0029
OWNER: GRYZWANA, Todd & Shinah
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ADDRESS: 40357 Wilderness Lodge Road, Branscomb

 Western Study Soil Types



LOCAL SOILS

CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE
REGION 1 – NORTHERN REGION
619 Second Street
Eureka, CA 95501



STREAMBED ALTERATION AGREEMENT

NOTIFICATION NO. 1600-2017-0875-R1

Unnamed Tributaries to the South Fork of the Eel River, Tributary to the Eel River and the Pacific Ocean

Wade Williams
Williams Water Diversion and Road Repair Project
3 Encroachments

This Streambed Alteration Agreement (Agreement) is entered into between the California Department of Fish and Wildlife (CDFW) and Wade Williams (Permittee).

RECITALS

WHEREAS, pursuant to Fish and Game Code (FGC) section 1602, the Permittee initially notified CDFW on December 21, 2017, with revisions accepted on April 16, 2018, that the Permittee intends to complete the project described herein.

WHEREAS, pursuant to FGC section 1603, CDFW has determined that the project could substantially adversely affect existing fish or wildlife resources and has included measures in the Agreement necessary to protect those resources.

WHEREAS, the Permittee has reviewed the Agreement and accepts its terms and conditions, including the measures to protect fish and wildlife resources.

NOW THEREFORE, the Permittee agrees to complete the project in accordance with the Agreement.

PROJECT LOCATION

The project to be completed is located within the South Fork of the Eel River watershed, approximately 4 miles northwest of the town of Branscomb, County of Humboldt, State of California. The project is located in Section 4, T12N, R16W, Mt. Diablo Base and Meridian; in the Lincoln Ridge U.S. Geological Survey 7.5-minute quadrangle; Assessor's Parcel Number 013-380-09-00; 013-380-21-00; latitude 39.6988 N and longitude 123.6506 W.

PROJECT DESCRIPTION

The project is limited to three encroachments. The first encroachment is for water diversion from an unnamed tributary to the South Fork of the Eel River. Water is diverted for domestic use and irrigation. Work for the water diversion will include use

and maintenance of the water diversion infrastructure. The two other proposed encroachments are to clear failing culverts. Work for these encroachments will include the clearing of each culvert by hand. The project also includes a remediation plan which consists of spreading and compressing base rock to fill a ditched depression and eroded bank and construct up to three water bars to reduce sediment runoff at the bottom of the driveway. The plan also proposes the installation of up to three water bars to channel run off to the first culvert.

PROJECT IMPACTS

Existing fish or wildlife resources the project could substantially adversely affect include Southern Torrent Salamander (*Rhyacotriton variegatus*), Pacific Giant Salamander (*Dicamptodon tenebrosus*), Foothill Yellow-legged Frog (*Rana boylei*), Coastal Tailed Frog (*Ascaphus truei*), Western Pond Turtle (*Actinemys marmorata marmorata*) amphibians, reptiles, aquatic invertebrates, mammals, birds, and other aquatic and riparian species.

The adverse effects the project could have on the fish or wildlife resources identified above include:

Impacts to water quality:

- increased water temperature;
- reduced instream flow;
- temporary increase in fine sediment transport;

Impacts to bed, channel, or bank and direct effects on fish, wildlife, and their habitat:

- direct impacts on benthic organisms;

Impacts to natural flow and effects on habitat structure and process:

- cumulative effect when other diversions on the same stream are considered;
- diversion of flow from activity site;
- direct and/or incidental take;
- indirect impacts;
- impediment of up- or down-stream migration;
- water quality degradation; and
- damage to aquatic habitat and function.

MEASURES TO PROTECT FISH AND WILDLIFE RESOURCES

1. Administrative Measures

The Permittee shall meet each administrative requirement described below.

- 1.1 **Documentation at Project Site.** The Permittee shall make the Agreement, any extensions and amendments to the Agreement, and all related notification materials and California Environmental Quality Act (CEQA) documents, readily available at the project site at all times and shall be presented to CDFW personnel, or personnel from another state, federal, or local agency upon request.
- 1.2 **Providing Agreement to Persons at Project Site.** The Permittee shall provide copies of the Agreement and any extensions and amendments to the Agreement to all persons who will be working on the project at the project site on behalf of the Permittee, including but not limited to contractors, subcontractors, inspectors, and monitors.
- 1.3 **Adherence to Existing Authorizations.** All water diversion facilities that the Permittee owns, operates, or controls shall be operated and maintained in accordance with current law and applicable water rights.
- 1.4 **Change of Conditions and Need to Cease Operations.** If conditions arise, or change, in such a manner as to be considered deleterious by CDFW to the stream or wildlife, operations shall cease until corrective measures approved by CDFW are taken. This includes new information becoming available that indicates that the bypass flows and diversion rates provided in this agreement are not providing adequate protection to keep aquatic life downstream in good condition or to avoid "take" or "incidental take" of federal or State listed species.
- 1.5 **Notification of Conflicting Provisions.** The Permittee shall notify CDFW if the Permittee determines or learns that a provision in the Agreement might conflict with a provision imposed on the project by another local, state, or federal agency. In that event, CDFW shall contact the Permittee to resolve any conflict.
- 1.6 **Project Site Entry.** The Permittee agrees to allow CDFW employees access to any property it owns and/or manages for the purpose of inspecting and/or monitoring the activities covered by this Agreement, provided CDFW: a) provides 24 hours advance notice; and b) allows the Permittee or representatives to participate in the inspection and/or monitoring. This condition does not apply to CDFW enforcement personnel.
- 1.7 **CDFW Notification of Work Initiation and Completion.** The Permittee shall contact CDFW within the seven-day period preceding the beginning of work permitted by this Agreement. Information to be disclosed shall include Agreement number, and the anticipated start date. Subsequently, the Permittee shall notify CDFW no later than seven (7) days after the project is fully completed.

2. Avoidance and Minimization Measures

To avoid or minimize adverse impacts to fish and wildlife resources identified above, the Permittee shall implement each measure listed below.

- 2.1 **Permitted Project Activities.** Except where otherwise stipulated in this Agreement, all work shall be in accordance with the Permittee Notification received on December 21, 2017, with revisions received on April 16, 2018, together with all maps, BMP's, photographs, drawings, and other supporting documents submitted with the Notification.
- 2.2 **Incidental Take.** This Agreement does not allow for the take, or incidental take of any state or federal listed threatened or endangered listed species.

Project Timing

- 2.3 **Work Period.** All work, not including diversion of water, shall be confined to the period **June 15 through October 1** of each year. Work within the active channel of a stream shall be restricted to periods of **dry weather**. Precipitation forecasts and potential increases in stream flow shall be considered when planning construction activities. Construction activities shall cease and all necessary erosion control measures shall be implemented prior to the onset of precipitation.
- 2.4 **Work Completion.** The proposed work shall be completed by no later than **October 1, 2019**. A notice of completed work, including photographs of each site, shall be submitted to CDFW within seven (7) days of project completion.
- 2.5 **Extension of the Work Period.** If weather conditions permit, and the Permittee wishes to extend the work period after October 1, a written request shall be made to CDFW at least 5-working days before the proposed work period variance. Written approval (letter or e-mail) for the proposed time extension must be received from CDFW prior to activities continuing past October 1.
- 2.6 **Avoidance of Nesting Birds.** Vegetation maintenance/removal as necessary within the scope of the project shall be confined to the period commencing August 16 and ending February 28, of any year in which this Agreement is valid, provided the work area is outside of the actively flowing stream. Work may continue during precipitation events provided stream flows have not risen into work areas and sediment delivery will not result.

Vegetation Management

- 2.7 **Minimum Vegetation Removal.** No native riparian vegetation shall be removed from the bank of the stream, except where authorized by CDFW. Permittee shall limit the disturbance or removal of native vegetation to the minimum necessary to achieve design guidelines and standards for the Authorized Activity. Permittee shall take precautions to avoid damage to vegetation outside the work area.
- 2.8 **Vegetation Management.** Permittee shall limit vegetation management (e.g., trimming, pruning, or limbing) and removal for the purpose of stream crossing or

diversion infrastructure placement/maintenance to the use of hand tools.
Vegetation management shall not include treatment with herbicides.

Water Diversion

- 2.9 **Maximum Diversion Rate.** The maximum instantaneous diversion rate from the water intake shall not exceed **five (5) gallons per minute (gpm)** at any time.
- 2.10 **Bypass Flow.** The Permittee shall pass **80% of the flow** at all times to keep all aquatic species including fish and other aquatic life in good condition below the point of diversion.
- 2.11 **Seasonal Diversion Minimization.** No water shall be diverted during the low flow season from **May 15 to November 15** of each year. Water shall be diverted only if the Permittee can adhere to conditions 2.9 and 2.10 of this Agreement.
- 2.12 **Measurement of Diverted Flow.** Permittee shall install and maintain an adequate measuring device for measuring the instantaneous and cumulative rate of diversion. This measurement shall begin as soon as this Agreement is signed by the Permittee. The device shall be installed within the flow of diverted water. The Permittee shall maintain records of diversion, and provide information including, but not limited to the following:
- 2.12.1 The date diversion occurred.
- 2.12.2 The amount of water used per day for cannabis cultivation separated out from the amount of water used for other irrigation purposes and other uses of water (e.g., domestic use or fire protection).
- 2.12.3 Permittee shall make available for review at the request of the department the daily diversion records required by the State Water Resources Control Board (Board) in Attachment A to the Board's Cannabis Cultivation Policy (October 17, 2017), No. 84, pages 40-41 (see Cal. Code Regs., tit. 23, § 2925).
- 2.13 **Water Management Plan.** The Permittee shall submit a Water Management Plan no later than **sixty days** from the time this Agreement is made final that describes how compliance will be achieved under this Agreement. The Water Management Plan shall include details on water storage, water conservation, or other relevant material to maintain water needs in coordination with forbearance and bypass flow requirements. The Water Management Plan shall include a brief narrative describing water use on the property, photographs to support the narrative, and water use calculations to ensure compliance with this Agreement. The Water Management Plan shall be submitted to CDFW at 619 Second Street, Eureka, CA 95501.

Water Diversion Facility Retrofit

- 2.14 Intake Structure.** No polluting materials (e.g., particle board, plastic sheeting, bentonite) shall be used to construct or screen, or cover the diversion intake structure.
- 2.15 Intake Structure Placement.** Infrastructure installed in the streambed (e.g., cistern or spring box) shall not exceed 10 percent of the active channel width and shall not be located in the deepest portion of the channel. The depth of the intake shall be no greater than one foot (12 inches) below the streambed.
- 2.16 Intake Screening.** The Permittee shall regularly inspect, clean, and maintain screens in good condition.
- 2.16.1** The water intake screens shall be securely attached (e.g., threaded or clamped) to the intake line and have a minimum wetted area of 0.25 square feet and a minimum open area of 27%.
- 2.16.2** A water intake screen with round openings shall not exceed 3/32-inch diameter; a screen with square openings shall not exceed 3/32-inch measured diagonally; and a screen with slotted openings shall not exceed 0.069 inches in width. Slots must be evenly distributed on the screen area.
- 2.16.3** The water intake screen may be constructed of any rigid material, perforated, woven, or slotted. Stainless steel or other corrosion-resistant material is recommended to reduce clogging due to corrosion. Care should be taken not to use materials deemed deleterious to aquatic species.
- 2.16.4** The water intake screen shall be placed in fast moving water with the long axis of the screen parallel to the streamflow. The water intake shall not be placed in pool habitat.
- 2.17 Intake Shall Not Impede Aquatic Species Passage.** The water diversion structures shall be designed, constructed, and maintained such that they do not constitute a barrier to upstream or downstream movement of aquatic life.
- 2.18 Exclusionary Devices.** Permittee shall keep the diversion structures (e.g. cistern) covered at all times to prevent the entrance and entrapment of amphibians and other wildlife.
- 2.19 Diversion Infrastructure Plan (DIP).** The Permittee shall submit a DIP for CDFW review and approval prior to diverting water. The DIP shall include a narrative describing the different elements of the water diversion infrastructure, supporting photographs and/or diagrams, and justification of how compliance with the CDFW Fish Screen Criteria will be achieved under this Agreement.

- 2.20 Diversion Intake Removal. Permittee shall plug, cap, block (e.g., with a shut-off valve), or remove all intakes at the end of each diversion season.
- 2.21 Heavy Equipment Use. No heavy equipment shall be used in the excavation or replacement of the existing water diversion structure. The Permittee shall use hand tools or other low impact methods of removal/replacement. All project materials and debris shall be removed from the project site and properly disposed of off-site upon project completion.

Diversion to Storage

- 2.22 Water Storage. All water storage facilities (WSFs) (e.g., reservoirs, storage tanks, mix tanks, and bladders tanks) must be located outside the active 100-year floodplain and outside the top of bank of a stream. Covers/lids shall be securely affixed to water tanks at all times to prevent potential entry by wildlife. Permittee shall cease all water diversion at the point of diversion when WSFs are filled to capacity.
- 2.23 Water Storage Maintenance. WSFs shall have a float valve to shut off the diversion when tanks are full to prevent overflow. The Permittee shall install any other measures necessary to prevent exorbitant use or waste of water. Water shall not leak, overflow, or overtop WSFs at any time. Permittee shall regularly inspect all WSFs and infrastructure used to divert water to storage and use and repair any leaks.
- 2.24 Limitations on Impoundment and Use of Diverted Water. The Permittee shall impound and use water in accordance with a valid water right, including any limitations on when water may be impounded and used, the purpose for which it may be impounded and used, and the location(s) where water may be impounded and used.
- 2.25 Water Conservation. The Permittee shall make best efforts to minimize water use, and to follow best practices for water conservation and management.
- 2.26 State Water Code. This Agreement does not constitute a valid water right. The Permittee shall comply with State Water Code sections 5100 and 1200 et seq. as appropriate for the water diversion and water storage. The application for this registration is found at:
http://www.swrcb.ca.gov/waterrights/publications_forms/forms/docs/sdu_registration.pdf.

Stream Crossings

- 2.27 Stream Protection. No debris, soil, silt, sand, bark, slash, sawdust, rubbish, cement or concrete washings, oil or petroleum products, or other deleterious material from project activities shall be allowed to enter into or be placed where it

may be washed by rainfall or runoff into the stream. All project materials and debris shall be removed from the project site and properly disposed of off-site upon project completion.

- 2.28 Equipment Maintenance.** Refueling of machinery or heavy equipment, or adding or draining oil, lubricants, coolants or hydraulic fluids shall not take place within stream bed, channel and bank. All such fluids and containers shall be disposed of properly off-site. Heavy equipment used or stored within stream bed, channel and bank shall use drip pans or other devices (e.g., absorbent blankets, sheet barriers or other materials) as needed to prevent soil and water contamination.
- 2.29 Hazardous Spills.** Any material, which could be hazardous or toxic to aquatic life and enters a stream (i.e. a piece of equipment tipping-over in a stream and dumping oil, fuel or hydraulic fluid), the Permittee shall immediately notify the California Emergency Management Agency State Warning Center at 1-800-852-7550, and immediately initiate clean-up activities. CDFW shall be notified by the Permittee within 24 hours at 707-445-6493 and consulted regarding clean-up procedures.
- 2.30 Dewatering.**
- 2.30.1 Stream Diversion.** Only when work in a flowing stream is unavoidable (e.g., perennial streams), Permittee shall divert the stream flow around or through the work area during construction operations. Stream flow shall be diverted using gravity flow through temporary culverts/pipes or pumped around the work site with the use of hoses.
- 2.30.2 Maintain Aquatic Life.** When any dam or other artificial obstruction is being constructed, maintained, or placed in operation, Permittee shall allow sufficient water at all times to pass downstream to maintain aquatic life below the dam pursuant to Fish and Game Code §5937.
- 2.30.3 Stranded Aquatic Life.** The Permittee shall check daily for stranded aquatic life as the water level in the dewatering area drops. All reasonable efforts shall be made to capture and move all stranded aquatic life observed in the dewatered areas. Capture methods may include fish landing nets, dip nets, buckets and by hand. Captured aquatic life shall be released immediately in the closest suitable aquatic habitat adjacent to the work site. This condition does not allow for the take or disturbance of any State or federally listed species, or State listed species of special concern. The Department staff who prepared this agreement shall be contacted immediately if any of these species are detected.
- 2.30.4 Coffer Dams.** Prior to the start of construction, Permittee shall divert the stream around or through the work area and the work area shall be isolated from the flowing stream. To isolate the work area, water tight coffer dams

shall be constructed upstream and downstream of the work area and water diverted, through a suitably sized pipe, from upstream of the upstream coffer dam and discharge downstream of the downstream coffer dam. Cofferdams and the stream diversion system shall remain in place and functional throughout the construction period. Cofferdams or stream diversions that fail for any reason shall be repaired immediately.

2.30.5 Minimize Turbidity, Siltation, and Pollution. Permittee shall use only clean, non-erodible materials, such as rock or sandbags that do not contain soil or fine sediment, to construct any temporary stream flow bypass. Permittee shall divert stream flow around the work site in a manner that minimizes turbidity, siltation, and pollution, and does not result in erosion or scour downstream of the diversion.

2.30.6 Remove any Materials upon Completion. Permittee shall remove all materials used for the temporary stream flow bypass after the Authorized Activity is completed.

2.30.7 Restore Normal Flows. Permittee shall restore normal flows to the effected stream immediately upon completion of work at that location.

2.31 Excavated Fill. Excavated fill material shall be placed in upland locations where it cannot deliver to a watercourse. To minimize the potential for material to enter the watercourse during the winter period, all excavated and relocated fill material shall be tractor contoured (to drain water) and tractor compacted to effectively incorporate and stabilize loose material into existing road and/or landing features.

2.32 Runoff from Steep Areas. The Permittee shall make preparations so that runoff from steep, erodible surfaces will be diverted into stable areas with little erosion potential or contained behind erosion control structures. Erosion control structures such as straw bales and/or siltation control fencing shall be placed and maintained until the threat of erosion ceases. Frequent water checks shall be placed on dirt roads, cat tracks, or other work trails to control erosion.

2.33 Culvert Installation.

2.33.1 The project is located in a moderate to very high Fire Hazard Severity Zone as designated by CAL FIRE. Culvert materials shall consist of corrugated metal pipe (CMP). Use of High Density Polyethylene (HDPE) pipe is not recommended.

2.33.2 Existing fill material in the crossing shall be excavated down vertically to the approximate original channel and outwards horizontally to the approximate crossing hinge points (transition between naturally occurring soil and remnant temporary crossing fill material) to remove any potential unstable debris and voids in the older fill prism.

2.33.3 Culvert shall be installed to grade (not perched or suspended), aligned with the natural stream channel, and extend lengthwise completely beyond the toe of fill. If culvert cannot be set to grade, it shall be oriented in the lower third of the fill face, and a downspout or energy dissipator (such as boulders, rip-rap, or rocks) shall be installed above or below the outfall as needed to effectively control stream bed, channel, or bank erosion (scouring, headcutting, or downcutting). The Permittee shall ensure basins are not constructed and channels are not be widened at culvert inlets.

2.33.4 Culvert bed shall be composed of either compacted rock-free soil or crushed gravel. Bedding beneath the culvert shall provide for even distribution of the load over the length of the pipe, and allow for natural settling and compaction to help the pipe settle into a straight profile. The crossing backfill materials shall be free of rocks, limbs, or other debris that could allow water to seep around the pipe, and shall be compacted.

2.33.5 Culvert inlet, outlet (including the outfall area), and fill faces shall be armored where stream flow, road runoff, or rainfall energy is likely to erode fill material and the outfall area.

2.33.6 Permanent culverts shall be sized to accommodate the estimated 100-year flood flow [i.e. ≥ 1.0 times the width of the bankfull channel width or the 100-year flood size, whichever is greater], including debris, culvert embedding, and sediment loads.

2.34 Crossing Maintenance

2.34.1 The placement of armoring shall be confined to the work period when the stream is dry or at its lowest flow

2.34.2 No heavy equipment shall enter the wetted stream channel.

2.34.3 No fill material, other than clean rock, shall be placed in the stream channel.

2.34.4 Rock shall be sized to withstand washout from high stream flows, and extend above the ordinary high water level.

2.34.5 Rock armoring shall not constrict the natural stream channel width and shall be keyed into a footing trench with a depth sufficient to prevent instability.

2.35 Road Approaches. The Permittee shall treat road approaches to new or re-constructed permanent crossings *on Class I and II watercourses* to minimize erosion and sediment delivery to the watercourse. Permittee shall ensure road approaches are hydrologically disconnected to the maximum extent feasible to

prevent sediment from entering the crossing site, including when a Stream Crossing is being constructed or reconstructed. Road approaches shall be armored from the crossing for a minimum of 50 feet in both directions, or to the nearest effective water bar or point where road drainage does not drain to the crossing, with durable rock, compacted grindings, pavement, or chip-seal.

2.36 Foothill Yellow-legged Frog Avoidance

2.36.1 No crossing construction/reconstruction shall occur if water is present, unless a visual encounter survey is conducted for all life-stages of FYLF by a qualified individual (knowledgeable of all life stages of FYLF and similar species) within the project area no more than two weeks prior to operations.

2.36.2 Visual encounter surveys shall consist of walking the entire survey reach and visually scanning in the water and on the banks. Any frog species encountered shall be recorded and submitted to the Department along with the work completion report. Observation reports shall be recorded on a CNDDDB report form found at:

<https://www.wildlife.ca.gov/Data/CNDDDB/Submitting-Data>

2.37 Project Inspection. The Project shall be inspected by Pacific Watershed Associates or a licensed engineer to ensure that the stream crossings were installed as designed. A copy of the inspection report, including photographs of each site, shall be submitted to CDFW within 90 days of completion of this project.

Erosion Control and Pollution

2.38 Erosion Control. Permittee shall use erosion control measures throughout all work phases where sediment runoff threatens to enter a stream, lake, or other Waters of the State.

2.39 Erosion Control. Permittee shall use erosion control measures throughout all work phases where sediment runoff threatens to enter a stream, lake, or other Waters of the State.

2.40 Seed and Mulch. Upon completion of construction operations and/or the onset of wet weather, Permittee shall stabilize exposed soil areas within the work area by applying mulch and seed. Permittee shall restore all exposed or disturbed areas and access points within the stream and riparian zone by applying local native and weed free erosion control grass seeds. Locally native wildflower and/or shrub seeds may also be included in the seed mix. Permittee shall mulch restored areas using at least two to four inches of weed-free clean straw or similar biodegradable mulch over the seeded area. Alternately, Permittee may cover seeding with jute netting, coconut fiber blanket, or similar non-synthetic monofilament netting erosion control blanket.

- 2.41 **Erosion and Sediment Barriers.** Permittee shall monitor and maintain all erosion and sediment barriers in good operating condition throughout the work period and the following rainy season, defined herein to mean October 15 through June 15. Maintenance includes, but is not limited to, removal of accumulated sediment and/or replacement of damaged sediment fencing, coir logs, coir rolls, and/or straw bale dikes. If the sediment barrier fails to retain sediment, Permittee shall employ corrective measures, and notify the department immediately.
- 2.42 **Prohibition on Use of Monofilament Netting.** To minimize the risk of ensnaring and strangling wildlife, Permittee shall not use any erosion control materials that contain synthetic (e.g., plastic or nylon) monofilament netting, including photo- or biodegradable plastic netting. Geotextiles, fiber rolls, and other erosion control measures shall be made of loose-weave mesh, such as jute, hemp, coconut (coir) fiber, or other products without welded weaves.
- 2.43 **Site Maintenance.** Permittee shall be responsible for site maintenance including, but not limited to, re-establishing erosion control to minimize surface erosion and ensuring drainage structures and altered streambeds and banks remain sufficiently armored and/or stable.
- 2.44 **Cover Spoil Piles.** Permittee shall have readily available erosion control materials such as wattles, natural fiber mats, or plastic sheeting, to cover and contain exposed spoil piles and exposed areas in order to prevent sediment from moving into a stream or lake. Permittee shall apply and secure these materials prior to rain events to prevent loose soils from entering a stream, lake, or other Waters of the State.
- 2.45 **No Dumping.** Permittee shall not deposit, permit to pass into, or place where it can pass into a stream, lake, or other Waters of the State any material deleterious to fish and wildlife, or abandon, dispose of, or throw away within 150 feet of a stream, lake, or other Waters of the State any cans, bottles, garbage, motor vehicle or parts thereof, rubbish, litter, refuse, waste, debris, or the viscera or carcass of any dead mammal, or the carcass of any dead bird.

Stream Restoration

- 2.46 **Stream Restoration Plan.** The Permittee shall submit a Stream Restoration Plan to CDFW prior to conducting remediation activities. The Stream Restoration Plan (SRP) shall detail the dimensions and slopes of the stream channel to be remediated. The SRP shall describe any material utilized to restore the channel to a natural condition. The SRP shall include a revegetation plan for remediation of the impacted channel reach.

3. Reporting Measures

- 3.1 **Work Completion.** The proposed work shall be completed by no later than **October 1, 2019**. A notice of completed work (condition 2.4), with supplemental photos, shall be submitted to CDFW **within seven (7) days** of project completion.
- 3.2 **Measurement of Diverted Flow.** Copies of the **Water Diversion Records** (condition 2.12) shall be submitted to CDFW at 619 Second Street, Eureka, CA 95501 no later than **December 31** of each year beginning in **2019**.
- 3.3 **Water Management Plan.** The Permittee shall submit a **Water Management Plan** (condition 2.13) within **60 days** from the effective date of this agreement. The Water Management Plan shall be submitted to CDFW at 619 Second Street, Eureka, CA 95501.
- 3.4 **Diversion Infrastructure Plan.** The Permittee shall **allow 60 days for CDFW review and approval** after submittal of a Diversion Infrastructure Plan (condition 2.19). This document shall be submitted to CDFW at the 619 Second Street, Eureka, CA 95501.
- 3.5 **Project Inspection.** The Permittee shall submit the **Project Inspection Report** (condition 2.38) to CDFW, LSA Program at 619 Second Street, Eureka, CA 95501.

CONTACT INFORMATION

Written communication that the Permittee or CDFW submits to the other shall be delivered to the address below unless the Permittee or CDFW specifies otherwise.

To Permittee:

Wade Williams
2367 Lapis Lane
Santa Rose, California 95404
707-978-8363
precisionfarms707@gmail.com

To CDFW:

Department of Fish and Wildlife
Northern Region
619 Second Street
Eureka, California 95501
Attn: Lake and Streambed Alteration Program
Notification #1600-2017-0875-R1

LIABILITY

The Permittee shall be solely liable for any violation of the Agreement, whether committed by the Permittee or any person acting on behalf of the Permittee, including its officers, employees, representatives, agents or contractors and subcontractors, to complete the project or any activity related to it that the Agreement authorizes.

This Agreement does not constitute CDFW's endorsement of, or require the Permittee to proceed with the project. The decision to proceed with the project is the Permittee's alone.

SUSPENSION AND REVOCATION

CDFW may suspend or revoke in its entirety this Agreement if it determines that the Permittee or any person acting on behalf of the Permittee, including its officers, employees, representatives, agents, or contractors and subcontractors, is not in compliance with the Agreement.

Before CDFW suspends or revokes the Agreement, it shall provide the Permittee written notice by certified or registered mail that it intends to suspend or revoke. The notice shall state the reason(s) for the proposed suspension or revocation, provide the Permittee an opportunity to correct any deficiency before CDFW suspends or revokes the Agreement, and include instructions to the Permittee, if necessary, including but not limited to a directive to immediately cease the specific activity or activities that caused CDFW to issue the notice.

ENFORCEMENT

Nothing in the Agreement precludes CDFW from pursuing an enforcement action against the Permittee instead of, or in addition to, suspending or revoking the Agreement.

Nothing in the Agreement limits or otherwise affects CDFW's enforcement authority or that of its enforcement personnel.

OTHER LEGAL OBLIGATIONS

This Agreement does not relieve the Permittee or any person acting on behalf of the Permittee, including its officers, employees, representatives, agents, or contractors and subcontractors, from obtaining any other permits or authorizations that might be required under other federal, state, or local laws or regulations before beginning the project or an activity related to it.

This Agreement does not relieve the Permittee or any person acting on behalf of the Permittee, including its officers, employees, representatives, agents, or contractors and

subcontractors, from complying with other applicable statutes in the FGC including, but not limited to, FGC sections 2050 *et seq.* (threatened and endangered species), 3503 (bird nests and eggs), 3503.5 (birds of prey), 5650 (water pollution), 5652 (refuse disposal into water), 5901 (fish passage), 5937 (sufficient water for fish), and 5948 (obstruction of stream).

Nothing in the Agreement authorizes the Permittee or any person acting on behalf of the Permittee, including its officers, employees, representatives, agents, or contractors and subcontractors, to trespass.

AMENDMENT

CDFW may amend the Agreement at any time during its term if CDFW determines the amendment is necessary to protect an existing fish or wildlife resource.

The Permittee may amend the Agreement at any time during its term, provided the amendment is mutually agreed to in writing by CDFW and the Permittee. To request an amendment, the Permittee shall submit to CDFW a completed CDFW "Request to Amend Lake or Streambed Alteration" form and include with the completed form payment of the corresponding amendment fee identified in CDFW's current fee schedule (see Cal. Code Regs., tit. 14, § 699.5).

TRANSFER AND ASSIGNMENT

This Agreement may not be transferred or assigned to another entity, and any purported transfer or assignment of the Agreement to another entity shall not be valid or effective, unless the transfer or assignment is requested by the Permittee in writing, as specified below, and thereafter CDFW approves the transfer or assignment in writing.

The transfer or assignment of the Agreement to another entity shall constitute a minor amendment, and therefore to request a transfer or assignment, the Permittee shall submit to CDFW a completed CDFW "Request to Amend Lake or Streambed Alteration" form and include with the completed form payment of the minor amendment fee identified in CDFW's current fee schedule (see Cal. Code Regs., tit. 14, § 699.5).

EXTENSIONS

In accordance with FGC section 1605(b), the Permittee may request one extension of the Agreement, provided the request is made prior to the expiration of the Agreement's term. To request an extension, the Permittee shall submit to CDFW a completed CDFW "Request to Extend Lake or Streambed Alteration" form and include with the completed form payment of the extension fee identified in CDFW's current fee schedule (see Cal. Code Regs., tit. 14, § 699.5). CDFW shall process the extension request in accordance with FGC 1605(b) through (e).

If the Permittee fails to submit a request to extend the Agreement prior to its expiration, the Permittee must submit a new notification and notification fee before beginning or continuing the project the Agreement covers (FGC section 1605(f)).

EFFECTIVE DATE

The Agreement becomes effective on the date of CDFW's signature, which shall be: 1) after the Permittee signature; 2) after CDFW complies with all applicable requirements under the California Environmental Quality Act (CEQA); and 3) after payment of the applicable FGC section 711.4 filing fee listed at http://www.wildlife.ca.gov/habcon/ceqa/ceqa_changes.html.

TERM

This Agreement shall **expire five years** from date of execution, unless it is terminated or extended before then. All provisions in the Agreement shall remain in force throughout its term. The Permittee shall remain responsible for implementing any provisions specified herein to protect fish and wildlife resources after the Agreement expires or is terminated, as FGC section 1605(a)(2) requires.

AUTHORITY

If the person signing the Agreement (signatory) is doing so as a representative of the Permittee, the signatory hereby acknowledges that he or she is doing so on the Permittee's behalf and represents and warrants that he or she has the authority to legally bind the Permittee to the provisions herein.

AUTHORIZATION

This Agreement authorizes only the project described herein. If the Permittee begins or completes a project different from the project the Agreement authorizes, the Permittee may be subject to civil or criminal prosecution for failing to notify CDFW in accordance with FGC section 1602.

RECEIVED

APR 02 2019

NR
SCIENCE

CONCURRENCE

The undersigned accepts and agrees to comply with all provisions contained herein.

FOR Wade Williams



Wade Williams

3-26-19

Date

FOR DEPARTMENT OF FISH AND WILDLIFE



Scott Bauer

Senior Environmental Scientist Supervisor

4/3/19

Date



EDMUND G. BROWN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

Notice of Receipt and Invoice for Cannabis Small Irrigation Use Registration

Registration ID: H500264
Applicant Name: Wade Williams
Mailing Address: 2367 Lapis Lane, Santa Rosa, CA 95404
Phone Number: (707) 978-8363
Email Address: precisionfarms707@gmail.com

Dear Wade Williams:

The State Water Resources Control Board (State Water Board), Division of Water Rights has received your registration on 02/05/2018 10:18:45 and it was assigned registration number H500264. Your Cannabis Small Irrigation Use Registration for Williams, Wade will be processed once the filing fee is received.

Print out this confirmation page. You need to include a copy of the perforated portion of this page with your check, money order or cashier's check.

Amount Due: \$750

Your payment must be postmarked within 30 calendar days from: 02/05/2018 10:18:45.

REGISTRATION FILING FEE PAYMENT OPTIONS

The applicant



UNITED STATES
POSTAL SERVICE

checks, money orders, or cashier's checks.

ELECTRONIC

If you are paying
webpage. See

Serial Number

24814233966

POSTAL MONEY ORDER

2018-02-07

954010

U.S. Dollars and Cents

\$750.00

Payment Type:

Pay to

State Water Resources Control Board

Address

PO Box 1888

Sacramento, Ca 95812

+ Add Row

Memo

ARN# UAH500264



U.S. MAIL

SERVICE

Clerk

32

Wade Williams (precisionfarms707)

2367 Lapis Ln Santa Rosa, Ca

00000080021

NEGOTIABLE ONLY IN THE U.S. AND POSSESSIONS

CASH AND CREDIT CARDS

Cash and credit cards are NOT accepted forms of payment for your Cannabis Small Irrigation Use Registration.



EDMUND G. BROWN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

Wade Williams
2367 Lapis Lane
santa rosa, CA 95404

Dear Wade Williams:

CANNABIS SMALL IRRIGATION USE CERTIFICATE *H100048* (REGISTRATION *H500264*) TO APPROPRIATE WATER FROM SOUTH FORK EEL RIVER IN MENDOCINO COUNTY

This is an important document related to your right to divert water. Do not discard.

You have received this letter because you are the owner or the agent for the owner of a water right registration on file with the State Water Resources Control Board (State Water Board). The purpose of this letter is to inform you that the State Water Board has issued the enclosed water right certificate for your registration. You should carefully read the water right certificate and associated documents to ensure that you understand and comply with any requirements for construction, diversion of water, and beneficial use of water.

In accordance with the State Water Boards's Cannabis Policy, your **maximum eligible diversion season is November 1 to March 31**, and your **maximum diversion rate is 10 gallons per minute (gpm)**. See Cannabis Policy for details.

If you have any questions, please contact me at shaun.rohrer@waterboards.ca.gov or (916) 319-9416. Written correspondence or inquiries should be addressed as follows: State Water Resources Control Board, Division of Water Rights, Attn: Shaun Rohrer P.O. Box 2000, Sacramento, CA, 95812-2000.

Sincerely,

Shaun Rohrer
Environmental Scientist
Cannabis Registration Unit
Division of Water Rights

Enclosures: 1) Important Information about Registrations
 2) Copy of Certificate
 3) Map

FELICIA MARCUS, CHAIR | EILEEN SOBECK, EXECUTIVE DIRECTOR

1001 I Street, Sacramento, CA 95814 | Mailing Address: P.O. Box 100, Sacramento, CA 95812-0100 | www.waterboards.ca.gov





STATE OF CALIFORNIA
CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY
STATE WATER RESOURCES CONTROL BOARD

DIVISION OF WATER RIGHTS

RIGHT TO DIVERT AND USE WATER

REGISTRATION H500264

CERTIFICATE H100048

Right Holder: Wade Williams
2367 Lapis Lane
santa rosa, CA 95404

The State Water Resources Control Board (State Water Board) authorizes the diversion and use of water by the right holder in accordance with the limitations and conditions herein SUBJECT TO PRIOR RIGHTS. The priority of this right dates from 02/07/2018. This right is issued in accordance with the State Water Board delegation of authority to the Deputy Director for Water Rights (Resolution 2012-0029) and the Deputy Director for Water Rights redelegation of authority dated October 19, 2017.

The Deputy Director for Water Rights finds that this registration meets the requirements for registration of small irrigation use appropriation. (Wat. Code, § 1228 et seq.)

Right holder is hereby granted a right to divert and use water as follows:

1. Location of point(s) of diversion (**Coordinates in WGS 84**)

Name of Diversion	Source	Tributary To:	Thence	Latitude	Longitude	County	Assessor's Parcel Numbers (APN)
diversion point	South Fork Eel River	Eel River	-----	39.6989	-123.6479	Mendocino	013-380-2100

2. Purpose of Use and 3. Place of Use

2. Purpose of Use	3. Place of Use		
	County	Assessor's Parcel Numbers (APN)	Acres
Irrigation, Aesthetic, Recreational	Mendocino	013-380-0900	0.23
Irrigation, Aesthetic, Recreational	Mendocino	013-380-2100	0
Irrigation, Aesthetic, Recreational	Mendocino	013-380-600	0

Note: Assessor's Parcel Numbers provided are based on the user's entries in this portal on 05/11/2018.

The place of use is shown on the map filed on 05/11/2018 with the State Water Board.

4. Quantity and Season:

The water appropriated shall be limited to the quantity which can be beneficially used and shall not exceed 0.11 **acre-feet per year** to be collected from 01/01 to 12/31 and as permitted in the diversion season specified in the current version of the State Water Board's Cannabis Policy, whichever is more restrictive. The total storage capacity shall not exceed 0.030689 acre-feet. The rate of diversion to storage shall not exceed **42,000 gallons per day (gpd) or the diversion rate specified in the current version of the State Water Board's Cannabis Policy, whichever is more restrictive.**

5. No water shall be diverted or used under this right unless the water right holder is in compliance with all applicable conditions, including the numeric and narrative instream flow requirements, of the current version of the State Water Board's Cannabis Policy, except as follows:

Right holders enrolled under Regional Water Quality Control Board Order R1-2015-0023 or Order R5-2015-0113 shall comply at all times with requirements related to flow, diversion, storage, and similar requirements of Attachment A of the Cannabis Policy identified by the Division of Water Rights below in this condition. This condition remains in effect until July 1,

2019, or when the right holder enrolls under the statewide Cannabis General Order, whichever comes first, at which time right holders shall comply with all applicable conditions and requirements of Attachment A of the Cannabis Policy.

- Section 1 – Term Numbers 4, 15, 17, 24, 26, and 36.
- Section 2 – Term Numbers 23, 63, 64, 66, 69 – 78, 82 – 94, 96, and 98 – 103.
- Section 3 – All Instream Flow Requirements for Surface Water Diversions (Requirements 1 – 7) and the Gage Installation, Maintenance, and Operation Requirements.
- Section 4 – All requirements and conditions.

The current version of the State Water Board's *Cannabis Policy* is available online at:
https://www.waterboards.ca.gov/water_issues/programs/cannabis/docs/policy.pdf.

6. No water shall be diverted or used under this right, and no construction related to such diversion shall commence, unless right holder has obtained and is in compliance with all necessary permits or other approvals required by other agencies.
7. Diversion works shall be constructed and water applied to beneficial use with due diligence.
8. No water shall be diverted under this right unless right holder complies with all lawful conditions required by the California Department of Fish and Wildlife. (Wat. Code, § 1228.6, subd. (a)(2).)
9. No water shall be diverted under this right unless it is diverted in accordance with the information set forth in the completed registration form as to source, location of point of diversion, purpose of use, place of use, quantity, and season of diversion. This information is reproduced as conditions 1 through 4 of this certificate.
10. No water shall be diverted under this right unless right holder complies with all applicable state, city, county, and local laws, regulations, ordinances, permits, and license requirements including, but not limited to those for cannabis cultivation, grading, construction, and building.
11. Pursuant to Water Code sections 100 and 275 and the common law public trust doctrine, all rights and privileges under this right, including method of diversion, method of use, and quantity of water diverted, are subject to the continuing authority of the State Water Board in accordance with law and in the interest of the public welfare to protect public trust uses and to prevent waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion of said water.
12. The State Water Board reserves jurisdiction over this registration to change the season of diversion and rate of diversion based on later findings of the State Water Board concerning availability of water and the protection of beneficial uses. Any action to change the authorized season of diversion and rate of diversion will be taken only after notice to interested parties and opportunity for hearing.
13. Right holder shall grant, or secure authorization through right holder's right of access to property owned by another party, the staff of the State Water Board, and any other authorized representatives of the State Water Board the following:
 - a. Entry upon property where water is being diverted, stored, or used under a right issued by the State Water Board or where monitoring, samples and/or records must be collected under the conditions of this right;
 - b. Access to copy any records at reasonable times that are kept under the terms and conditions of a right or other order issued by the State Water Board;
 - c. Access to inspect at reasonable times any project covered by a right issued by the State Water Board, equipment (including monitoring and control equipment), practices, or operations regulated by or required under this right; and,
 - d. Access to photograph, sample, measure, and monitor at reasonable times for the purpose of ensuring compliance with a right or other order issued by the State Water Board, or as otherwise authorized by the Water Code.
14. Diversion of water under this right is subject to prior rights. Right holder may be required to curtail diversion or release water stored during the most recent collection season should diversion under this right result in injury to holders of legal downstream senior rights. If a reservoir is involved, right holder may be required to bypass or release water through, over, or around the dam. If release of stored water would not effectively satisfy downstream prior storage rights, right holder may be required to otherwise compensate the holders of such rights for injury caused.
15. This right shall not be construed as conferring right of access to any lands or facilities not owned by right holder.
16. All rights are issued subject to available flows. Inasmuch as the source contains treated wastewater, imported water from another stream system, or return flow from other projects, there is no guarantee that such supply will continue.

17. If storage or diversion of water under this right is by means of a dam, right holder shall allow sufficient water at all times to pass through a fishway or, in the absence of a fishway, allow sufficient water to pass over, around, or through the dam to keep in good condition any fish that may be planted or exist below the dam; provided that, during a period of low flow in the stream, upon approval of the California Department of Fish and Wildlife, this requirement will be satisfied if sufficient water is passed through a culvert, waste gate, or over or around the dam to keep in good condition any fish that may be planted or exist below the dam if it is impracticable or detrimental to pass the water through a fishway. In the case of a reservoir, this provision shall not require the passage or release of water at a greater rate than the unimpaired natural inflow into the reservoir. (Fish & G. Code, § 5937.)
18. The facilities for diversion under this right shall include satisfactory means of measuring and bypassing sufficient water to satisfy downstream prior rights and any requirements of the California Department of Fish and Wildlife and the State Water Board's Cannabis Policy.
19. This right does not authorize any act which results in the taking of a threatened, endangered, or candidate species or any act which is now prohibited, or becomes prohibited in the future, under either the California Endangered Species Act (Fish and Game Code section 2050 et seq.) or the federal Endangered Species Act (16 U.S.C.A. section 1531 et seq.). If a "take" will result from any act authorized under this water right, the right holder shall obtain authorization for an incidental take prior to construction or operation of the project. Right holder shall be responsible for meeting all requirements of the state and Federal Endangered Species Acts for the project authorized under this right.
20. This right is subject to the submittal of an annual report of water use and satisfactory renewal, on forms to be furnished by the State Water Board, including payment of the then-current annual renewal fees. (Wat. Code, § 1228.5.)
21. This right shall be totally or partially forfeited for nonuse if the diversion is abandoned or if all or any part of the diversion is not beneficially used for a continuous period of five years.
22. This right is subject to enforcement, including but not limited to revocation, by the State Water Board if 1) the State Water Board finds that the right holder knowingly made any false statement, or knowingly concealed any material fact, in the right; 2) the right is not renewed as required by the conditions of this certificate; or 3) the State Water Board finds that the right holder is in violation of the conditions of this right. (Wat. Code, § 1228.4 et seq.)
23. The State Water Board intends to develop and implement a basin-wide program for real-time electronic monitoring and reporting of diversions, withdrawals, releases, and streamflow in a standardized format if and when resources become available. Such real-time reporting will be required upon a showing by the State Water Board that the program and the infrastructure are in place to accept real-time electronic reports. Implementation of the reporting requirements shall not necessitate amendment to this right.

STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

This certificate was issued automatically as a result of the registrant self-certifying submittal of a water right registration filing in substantial compliance with Water Code §1228.3.

Dated: 05/11/2018 16:09:09



▲ Primary Point of Diversion	▲ Additional Diversion Point	0 190 380
⊗ Pump	□ Indoor grow area	Feet
⊕ Storage (tank, bladder, pond, etc.)	⊗ Greenhouse	1:3,000
● Well	□ Outdoor grow area	Date: 2/1/2018
		Map generated by Cannabis GO Survey tool.

OWNER: Wade Williams PRIMARY POINT OF DIVERSION: diversion point SOURCE: South Fork Eel River TRIBUTARY TO: Eel River LATITUDE: 39.6989 LONGITUDE: -123.6479 APN: 013-380-2100 COUNTY OF: Mendocino		STATE OF CALIFORNIA CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY STATE WATER RESOURCES CONTROL BOARD DIVISION OF WATER RIGHTS REGISTRATION NUMBER H500264 CERTIFICATE NUMBER H100048 SMALL IRRIGATION USE REGISTRATION DATE CREATED: 2018-05-11	
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Note: This map does not constitute a public land survey as defined by California Business & Professions Code section 8726. It has been prepared for descriptive purposes only.

