



**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  
TELEPHONE: 707-234-6650  
FAX: 707-463-5709  
FB PHONE: 707-964-5379  
FB FAX: 707-961-2427  
pbs@mendocinocounty.org  
www.mendocinocounty.org/pbs

May 21, 2019

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

Archaeological Commission  
Sonoma State University  
CalFire - Prevention  
CalFire - Resource Management  
Department of Fish and Wildlife

Cloverdale Rancheria  
Redwood Valley Rancheria  
Sherwood Valley Band of Pomo Indians

**CASE#:** AP\_2019-0040

**DATE FILED:** 4/29/2019

**OWNER:** ROBERT SCOTT

**APPLICANT:** BIG FIR FARMS, LLC

**AGENT:** RAIN & ZEPP LAW

**REQUEST:** Administrative Permit for a large mixed light cannabis cultivation site (Type 2B (10,000 sq. ft.); AG\_2018-0415) of no more than 10,000 sq. ft. of canopy.

**LOCATION:** 4.1± miles southeast of Whitethorn town center, lying on the east side of Briceland Road (CR 435), 5.4± miles northeast of its intersection with Usal Road (CR 431), located at 8060 Baker Creek Road (Private), Whitethorn (APN: 052-010-16).

**ENVIRONMENTAL DETERMINATION:** Categorically Exempt

**SUPERVISORIAL DISTRICT:** 4

**STAFF PLANNER:** MARK CLISER

**RESPONSE DUE DATE:** June 4, 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](mailto: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 \_\_\_\_\_

OWNER:

ROBERT SCOTT & RICHARD ETHERTON

APPLICANT:

Big Fir Farms, LLC

AGENT:

Rain & Zepp Law

REQUEST:

Administrative Permit for a large mixed light cannabis cultivation site (Type 2B (10,000 sq. ft.); AG\_2018-0415) of no more than 10,000 sq. ft. of canopy.

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APN/S:

052-010-16-00

PARCEL SIZE:

40± ACRES

GENERAL PLAN:

FOREST LANDS (FL)

ZONING:

TIMBERLAND PRODUCTION ZONE (TP:160)

EXISTING USES:

Cannabis

DISTRICT:

Supervisory District 3 (Haschak)

RELATED CASES:

AG\_2018-0415 (Agriculture Permit)

	ADJACENT GENERAL PLAN	ADJACENT ZONING	ADJACENT LOT SIZES	ADJACENT USES
NORTH:	FOREST LANDS (FL)	TP:160	56± acres	Institutional
EAST:	FOREST LANDS (FL)	TP:160	160± acres	Institutional
SOUTH:	FOREST LANDS (FL)	TP:160	11.4±; 11± acres	Institutional
WEST:	FOREST LANDS (FL)	TP:160	22.8± acres	Institutional

REFERRAL AGENCIES

- LOCAL

☒ Air Quality Management District

☒ Archaeological Commission

☒ Building Division Ukiah

☒ Department of Transportation (DOT)

☒ Environmental Health (EH)

FORESTRY ADVISOR

☒ Forestry Advisor

☒ Sonoma State University

STATE

☒ CALFIRE (Land Use)

☒ CALFIRE (Resource Management)

CALIFORNIA DEPT. OF FISH & WILDLIFE

☒ California Dept. of Fish & Wildlife

TRIBAL

☒ Cloverdale Rancheria

☒ Redwood Valley Rancheria

☒ Sherwood Valley Band of Pomo Indians

ADDITIONAL INFORMATION: Adjacent parcel to north (052-010-02) under same ownership is separate legal parcel.

ENVIRONMENTAL DATA

1. MAC:

GIS

2. FIRE HAZARD SEVERITY ZONE:

CALFIRE FRAP maps/GIS

3. FIRE RESPONSIBILITY AREA:

CALFIRE FRAP maps/GIS

Very High

4. FARMLAND CLASSIFICATION:

GIS

5. FLOOD ZONE CLASSIFICATION:

FEMA Flood Insurance Rate Maps (FIRM)

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

10. TIMBER PRODUCTION ZONE:

GIS

11. WETLANDS CLASSIFICATION:

GIS

12. EARTHQUAKE FAULT ZONE:

Earthquake Fault Zone Maps; GIS

13. AIRPORT LAND USE PLANNING AREA:

Airport Land Use Plan; GIS

14. SUPERFUND/BROWNFIELD/HAZMAT SITE:

GIS; General Plan 3-11

15. NATURAL DIVERSITY DATABASE:

CA Dept. of Fish & Wildlife Rarefind Database/GIS

Yes

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](http://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



Department of  
Planning and Building  
Services

Case No:	AP-2019-0040
CalFire No:	
Cultivation No:	AG 2018-0415
Fee:	\$641
Receipt No:	
Received By:	Mark Cliser
Date Filed:	4-29-19
Office use only	

## Application for Cannabis – Use Permit / Administrative Permit

☒ **ADMINISTRATIVE PERMIT (AP)**

- ☐ Type C-A Cottage Indoor (500 ft<sup>2</sup>)    ☐ Sensitive Setback Reduction Request  
☐ Forego RR:10 Housing Requirement    ☒ TPZ or FL (Type 1 or Type 2)

☐ **USE PERMIT (UP)**

- ☐ Type C-A Cottage Indoor (500 ft<sup>2</sup> - 2500 ft<sup>2</sup>)

**APPLICANT(S)**

Name: Big Fir Farms, LLC. Phone: 707-298-5320  
Mailing Address: PO BOX 2342  
City: Redway State/Zip: CA 95560 email: bigfirfarms@gmail.com

**PROPERTY OWNER**

Name: Richard Etherton Phone: 707-298-5320  
Mailing Address: PO BOX 2342  
City: Redway State/Zip: CA 95560 email: bigfirfarms@gmail.com

**AGENT**

Name: Rain & Zepp - A Professional Law Corporation Phone: 707-442-3034  
Mailing Address: 517 Third Street Suite 30  
City: Eureka State/Zip: CA 95501 email: office@rainzepplaw.com ;  
brittany@rainzepplaw.com ;  
natemadsen@rainzepplaw.com

Parcel Size: 40 acres

Address of Property: 8060 Baker Creek Road Whitethorn 95589

Assessor Parcel Number(s): 052-010-16

**TYPE OF CULTIVATION PERMIT:**

Size ↓	Type of Permit →	OUTDOOR	INDOOR	MIXED LIGHT
Small: (≤2500 ft²)	<input type="checkbox"/> C	<input type="checkbox"/> C-A (≤500 ft²) <input type="checkbox"/> C-A (501 – 2500 ft²)	<input type="checkbox"/> C-B	
Medium: (2501 – 5000 ft²)	<input type="checkbox"/> 1	<input type="checkbox"/> 1-A	<input type="checkbox"/> 1-B	
Large: (5001 – 10,000 ft²)	<input type="checkbox"/> 2	<input type="checkbox"/> 2-A	<input checked="" type="checkbox"/> 2-B	
Nursery: (≤12,000 ft²)	<input type="checkbox"/> 4	<input type="checkbox"/> 4	<input type="checkbox"/> 4	

I certify that the information submitted with this application is true and accurate. I have attached the Consent of Landowner form because I am not the property owner of the parcel on which the cultivation site is located.

Signature of Applicant/Agent: *Richard E Etherton* Date: 12/17/2018

Signature of Owner: *Richard E Etherton* Date: 12/17/2018

7. In order to develop the proposed cultivation site, will it be necessary to:

- |   | YES                      | NO                                  |
|---|--------------------------|-------------------------------------|
| A. Remove oak species or commercial tree species? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| B. Make substantial changes in terrain?           | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| C. Connect to existing water district?            | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| D. Connect to existing sewer district?            | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| E. Install a septic system?                       | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| F. Connect to existing septic system?             | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| G. Install an individual well?                    | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

H. OTHER (Explain)? \_\_\_\_\_

8. Please provide an inventory of the structures on the property. If additional space is needed, please provide a separate sheet. Please note improvements may be subject to permit requirements. Please include size of structures.

1. Hoop House 1 - 20' x 100' - cultivation use
2. Hoop House 2 - 20' x 100' - cultivation use
3. Hoop House 3 - 20' x 100' - cultivation use
4. Hoop House 4 - 20' x 100' - cultivation use
5. Hoop House 5 - 20' x 100' - cultivation use
6. Hoop House 6 - 20'x50' - Immature plants only
7. \_\_\_\_\_
8. \_\_\_\_\_
9. \_\_\_\_\_
10. \_\_\_\_\_

9. Are there any contiguous properties and/or projects (unrelated to cannabis) under your ownership? ☐ YES ☒ NO

10. Will the proposed cultivation site convert land currently or previously used for agriculture? ☐ YES ☒ NO

If YES, how much land is being converted? \_\_\_\_\_ ( ft<sup>2</sup> / acres )

11. Will the proposed cultivation site require the construction of a pond OR will it involve diking, filling, or dredging?

☒ NO

- ☐ YES, the project will involve:
- |   |  |
|---|--|
| <input type="checkbox"/> Construction of a pond | - a total of _____ cubic yards will be moved |
| <input type="checkbox"/> Diking                 | - a total of _____ cubic yards will be moved |
| <input type="checkbox"/> Filling                | - a total of _____ cubic yards will be moved |
| <input type="checkbox"/> Dredging               | - a total of _____ cubic yards will be moved |

12. Briefly describe the surrounding properties including vegetation, animals, structures, and/or cultural/historic assets.

Goats live on property for weed control and manure production.

13. Please indicate the surrounding land uses.

	NORTH	EAST	SOUTH	WEST
Vacant	x	x	x	x

# CULTIVATION SITE & PROJECT DESCRIPTION QUESTIONNAIRE

1. Does the proposed cultivation site meet the following setbacks?

☒ YES

☐ NO

- 1,000 feet from all youth-oriented facilities, schools, parks, churches, or residential treatment facilities.

☒ FOR OUTDOOR AND MIXED LIGHT CULTIVATION SITES

- 100 feet from any legal residential structure located on a separate legal parcel.
- 50 feet from any adjoining legal parcel under separate ownership.
- If in mobile home park, 100 feet from an occupied mobile home under separate ownership.

☐ FOR INDOOR CULTIVATION SITES

- Any building property line setbacks.

2. Is the cultivation site visible from any public right of way or publically traveled private road?

☐ YES

☒ NO

3. Please describe the project site. Include improvements such as structures, wells, septic systems, grading, vegetation removal, roads, etc.

Rain water is caught in a pond on the parcel measuring approximately 2,000 s.f. and with a total storage capacity of 70,000 gallons of water. Rain water is also caught in a swimming pool measuring approximately 500 s.f. with total storage capacity of 12,000 gallons. Water is pumped from the pond and or pool to a series of secondary storage including a water bladder holding 15,000 gallon capacity and five hard poly tanks with aggregate storage capacity of 8,000 gallons of water. The total water storage of pond, pool, bladder and water tanks is 105,000 gallons. Crop rotation with clover, nettles, or vetch; Thorough cleaning of canopy areas between grow cycles, on-site cloning; Scouting/observation for pests on a routine basis. Five 20'x100' hoop houses will be used for mature plants. An additional 20'x50' hoop house will be used for immature plants only. Drying will be conducted in 12'x20' metal shipping container. No grading, road building or vegetation removal is proposed for this project.

4. Will the development of the proposed cultivation site be phased?

☐ YES

☒ NO

If YES, please describe the phases briefly.

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5. How will you dispose of hazardous, natural (trimmings), or other (plastics) materials from the cultivation site?

On site Premises composting & recycling.

6. Have you constructed in the past, are constructing, or plan to construct any roads? Grading?

☐ YES

☒ NO

If YES, please complete the following:

- A. Amount of cut: \_\_\_\_\_ cubic yards
- B. Amount of fill: \_\_\_\_\_ cubic yards
- C. Maximum height of cut slope: \_\_\_\_\_ feet
- D. Maximum height of fill slope: \_\_\_\_\_ feet
- E. Amount being imported/exported: \_\_\_\_\_ cubic yards
- F. Location of borrow/disposal: ☐ ON-SITE ☐ OFF-SITE

14. Utilities will be supplied to the site as follows:

A. Electricity

- ☐ Utility Company (existing)  
☐ Utility Company (planned)  
☒ On-Site Generation – Specify Solar and Honda EU3000 generator for back up and peak load support

B. Gas

- ☐ Utility Company (existing)  
☐ Utility Company (planned)  
☒ On-Site Generation – Specify Propane for cooking and heating  
☐ None

C. Water

- ☐ Community water system – Specify supplier \_\_\_\_\_  
☐ Well  
☐ Spring  
☒ Pond  
☐ Other – Specify \_\_\_\_\_

D. Sewage

- ☐ Community sewage system – Specify supplier \_\_\_\_\_  
☐ Septic Tank  
☒ Other – Specify Portable Toilet

15. Will there be any security lighting? ☐ YES ☒ NO If YES, will the light be cast downward? ☐ YES ☐ NO

16. Will you have employees? ☐ YES ☒ NO

If YES, how many employees will you have? 0

If employees are residing onsite, please indicate the structure they will be residing.

17. Will there be any processing of cannabis on site (trimming, leaf removal, curing, drying, etc)? ☐ YES ☒ NO

18. If you answered YES to the previous question (17), please describe the activities.

N/A

19. Please provide driving directions to the cultivation site using identifiable landmarks (streets, mile posts, mailboxes).

Driving Directors to Access Road from Redway CA: Head Northwest on Redwood Dr toward Briceland Road. Turn Left on first cross street onto Briceland Road. Continue on Briceland Road for Approximately 15.8 miles to Whitethorn. Turn slight left (portion unpaved - .6 miles past Stanley Creek Road, if reach Briceland Rd, .3 too far), (then 1.19 mi) Turn left onto Baker Creek Road.

I certify that the information submitted with this application is true and accurate:

Richard E. Ebert 12/17/2018  
Signature of Applicant/Agent Date

Richard E. Ebert 12/17/2018  
Signature of Owner Date

FOR STAFF PURPOSES ONLY

Zoning District: \_\_\_\_\_

Subject to Sunset Provision [MCC 10A.17.080(B)(2)(b)]? ☐ YES ☐ NO

Compliant with Mendocino County Code Chapter 20.242: ☐ YES ☐ NO



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## AUTHORIZATION OF AGENT

1. I hereby authorize Rain & Zepp, A Professional Law Corporation 517 Third Street Suite 30 Eureka, to act as my representative and to bind me in all matters concerning this application.

  
Owner

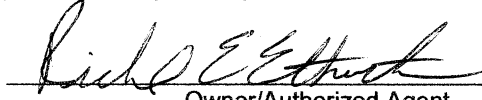
12-17-2018  
Date

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## CERTIFICATION AND SITE VIEW AUTHORIZATION

1. I hereby certify that I have read this completed application and that, to the best of my knowledge, the information in this application, and all attached appendices and exhibits, is complete and correct. I understand that the failure to provide any requested information or any misstatements submitted in support of the application shall be grounds for either refusing to accept this application, for denying the permit, for suspending or revoking a permit issued on the basis of such misrepresentations, or for seeking of such further relief as may seem proper to the county.
2. I hereby grant permission for County, Planning and Building Services staff, and hearing bodies to enter upon and site view the premises for which this application is made in order to obtain information necessary for the preparation of required reports and render its decision.

  
Owner/Authorized Agent

12-17-2018  
Date

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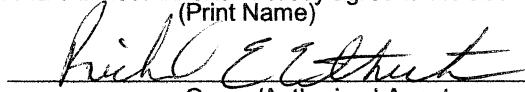
## INDEMNIFICATION AND HOLD HARMLESS

ORDINANCE NO. 3780, adopted by the Board of Supervisors on June 4, 1991, requires applicants for discretionary land use approvals, to sign the following Indemnification Agreement. Failure to Sign this agreement will result in the application being considered incomplete and withheld from further processing.

### INDEMNIFICATION AGREEMENT

As part of this application, applicant agrees to defend, indemnify, release and hold harmless the County of Mendocino, its agents, officers, attorneys, employees, boards and commissions, as more particularly set forth in Mendocino County Code Section 1.04.120, from any claim, action or proceeding brought against any of the foregoing individuals or entities, the purpose of which is to attack, set aside, void or annul the approval of this application or adoption of the environmental document which accompanies it. The indemnification shall include, but not be limited to, damages, costs, expenses, attorney fees or expert witness fees that may be asserted by any person or entity, including the applicant, arising out of or in connection with the approval of this application, whether or not there is concurrent, passive or active negligence on the part of the County, its agents, officers, attorneys, employees, boards and commissions.

1. I, Richard Ernest Etherton hereby agree to the above Indemnification Agreement.  
(Print Name)

  
Owner/Authorized Agent

12-17-2018  
Date

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To facilitate proper handling of this application, please indicate the names and mailing addresses of individuals to whom you wish correspondence mailed to if different from those identified on the **Application for Cannabis Cultivation** page.

Name	Name	Name
Mailing Address	Mailing Address	Mailing Address

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GovPayNet Logo

Government Payment Service

GovPayNet

7102 Lakeview Parkway West Drive

Indianapolis, IN 46268

24 Hour Customer Service #: 888-604-7888

**Permits & Applications Payment Confirmation (Ref #: 25656241)**

**PLC:** Mendocino County Planning & Building  
**7340** Services  
860 North Bush St  
Ukiah, California 95482  
For: Permits & Applications

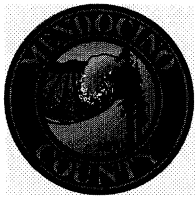
**Date:** 04/25/2019 16:24 EDT**TRANSACTION INFORMATION****Name:** Beorn Zepp**Transaction Reference #:** 25656241**Street Address:** 517 3rd St. Suite 30  
Eureka, Ca 95501**Transaction Date/Time:** 04/25/2019 16:24 EDT**Type Of Payment:** Planning Application Fee**Building Permit #:** 8060 Baker Creek Road**BILLING INFORMATION****Name:** Beorn Zepp**Approval #:** 038918**Address:** 517 3rd St. Suite 30**Payment Amount:** \$641.00**City, State Zip:** Eureka, Ca 95501**Service Fee:** \$22.75**Phone #:** (707)442-3034**Total Amount:** \$663.75**Card #:** xxxx-xxxx-xxxx-5294**The service fee is not refundable.****ATTENTION CARDHOLDER**

If you have questions about the processing of your payment, please call GovPayNet at 888-604-7888.

**Thank you for using GovPayNet**

© 2007 Government Payment Service, Inc.

Form #: EUR



# **Mendocino County**

## **Planning and Building Services**

860 North Bush Street  
Ukiah, CA 95482  
(707) 234-6650

120 West Fir Street  
Fort Bragg, CA 95437  
(707) 964-5379

**Paid By: Beorn Zepp**  
517 Third Street  
Suite 30  
EUREKA

CA 95501

**AP\_2019-0040**

**Receipt: PRJ\_027094**

**Date: 4/29/2019**

**Pay Method: CREDIT 25656241**

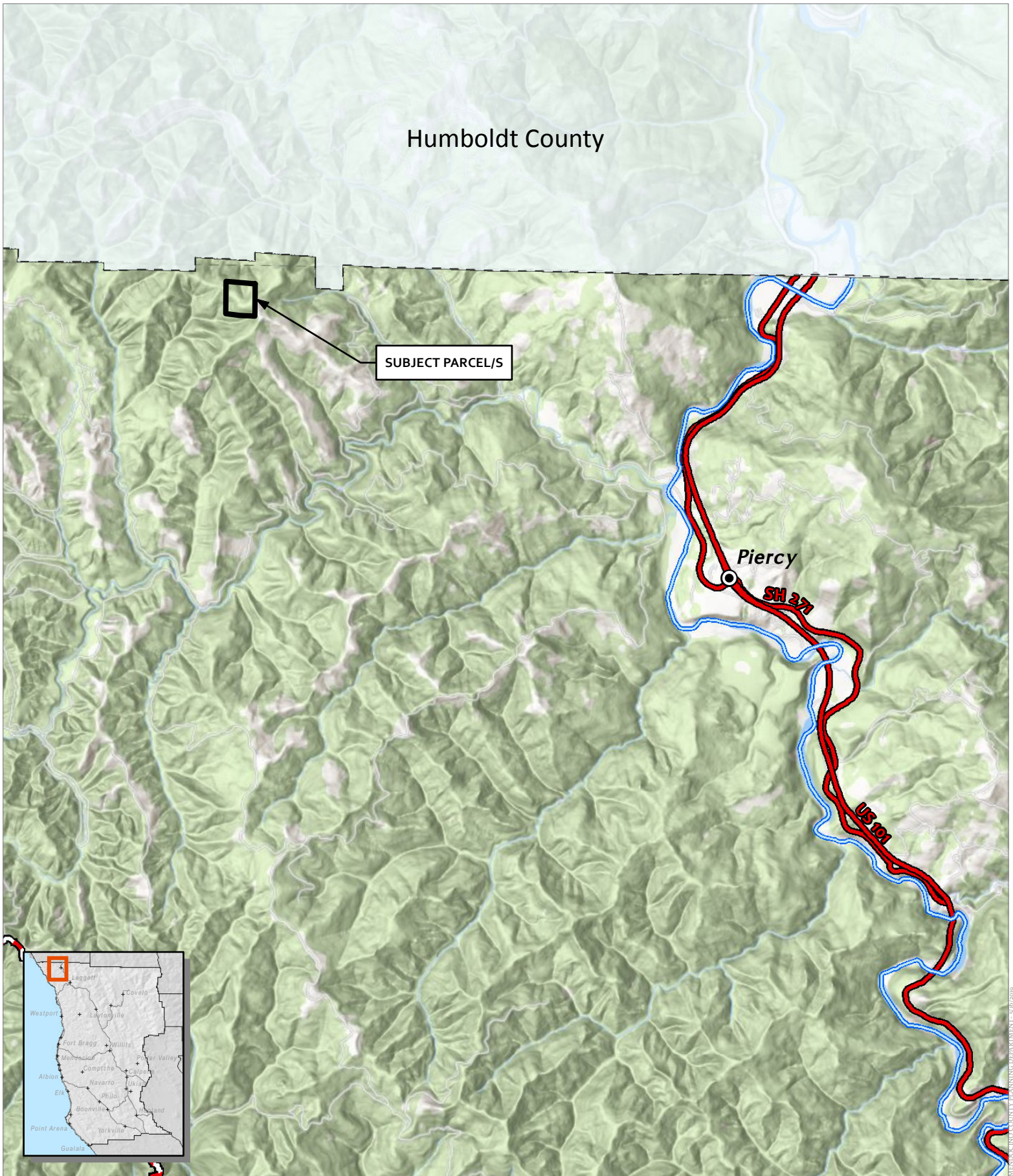
**Received By: MARK CLISER**

**Project Number: AP\_2019-0040**

**Project Description: Etherton.TPZ/FL.Whitethorn**

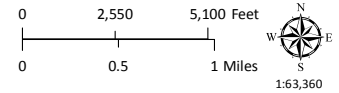
**Site Address: 8060 BAKER CREEK RD**

<b>Fee Description</b>	<b>Account Number</b>	<b>Qty</b>	<b>Fee Amount</b>
BASE FEES	1100-2851-822605		\$381.00
AP BASE			\$381.00
EH FEES	1100-4011-822606		\$69.00
AP EH			\$69.00
GENERAL PLAN	1100-2851-826188		\$116.00
			\$116.00
SONOMA STATE UNIVERSITY	1100-2851-826390		\$75.00
			\$75.00
<b>Total Fees Paid:</b>			<b>\$641.00</b>



CASE: AP 2019-0040  
OWNER: SCOTT, Robert  
APN: 052-010-16  
APLCT: Big Fir Farms, LLC  
AGENT: Rain & Zepp  
ADDRESS: 8060 Baker Creek Road, Whitethorn

- Major Towns & Places
- California Counties
- Major Rivers
- Highways
- Major Roads



LOCATION MAP

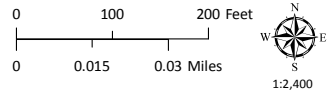




CASE: AP 2019-0040  
OWNER: SCOTT, Robert  
APN: 052-010-16  
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AGENT: Rain & Zepp  
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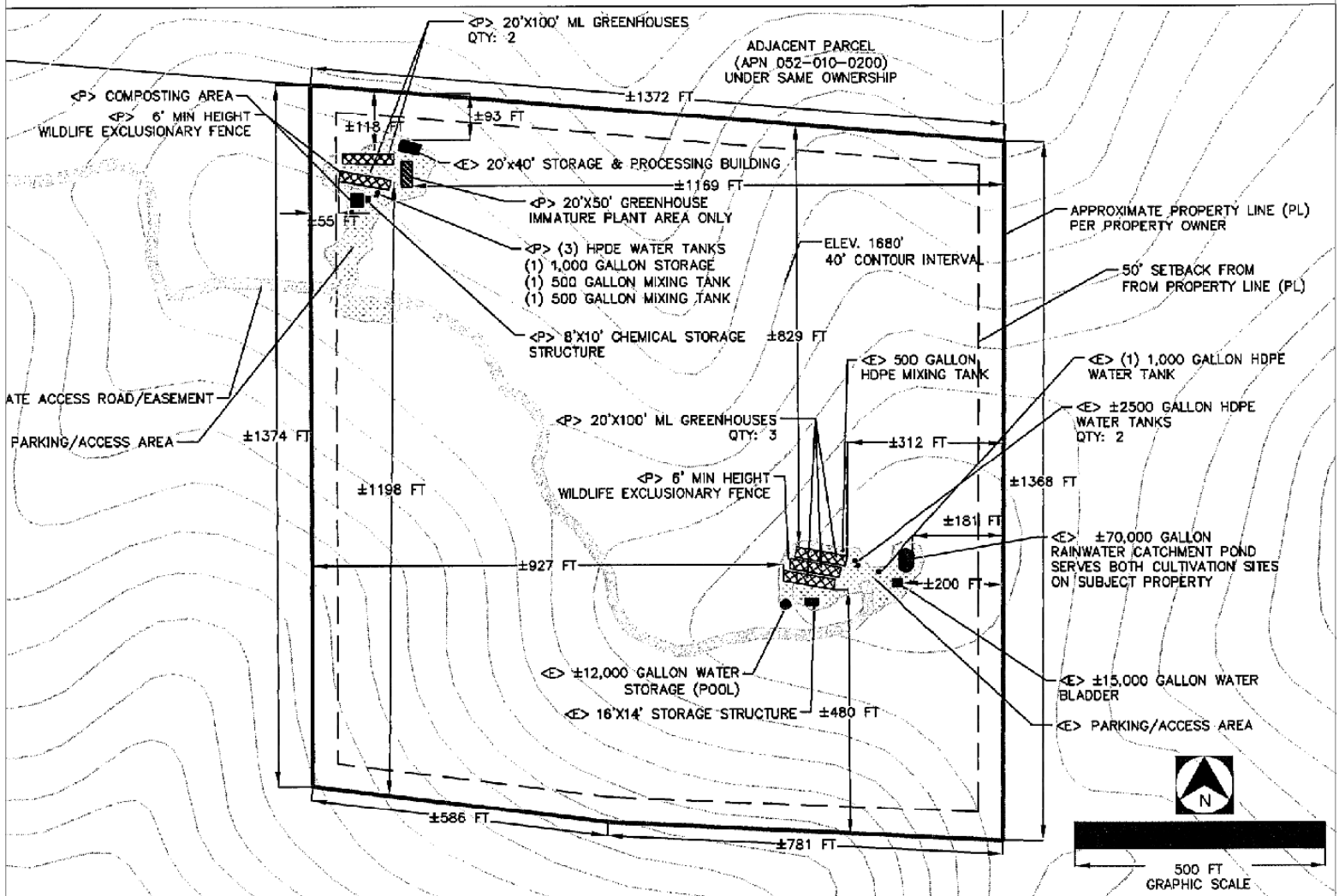


Cannabis Cultivation Sites



AERIAL IMAGERY





#### GENERAL NOTES:

NO PROPOSED GRADING.

BUILDING, ROAD, AND FEATURE LOCATIONS ARE APPROXIMATE.

PROPERTY LINES AND DIMENSIONS ARE FROM MENDOCINO COUNTY GIS AND ARE UNVERIFIED.

ALL CULTIVATION AREAS ARE SET BACK AT LEAST 50 FEET FROM PROPERTY LINES.

NO KNOWN OCCUPIED LEGAL STRUCTURES LOCATED ON A SEPARATE LEGAL PARCEL WITHIN 100 FEET OF CULTIVATION AREAS.

NO KNOWN YOUTH ORIENTED FACILITY, SCHOOL, PARK, CHURCH, TRIBAL CULTURAL RESOURCES OR RESIDENTIAL TREATMENT FACILITY WITHIN 1000 FEET OF CULTIVATION AREAS.

ALL AREAS NOT DELINEATED AS "ACCESS" ARE WOODLAND AREAS.

NO KNOWN SEPTIC SYSTEMS ON PROPERTY OR ADJACENT PROPERTIES

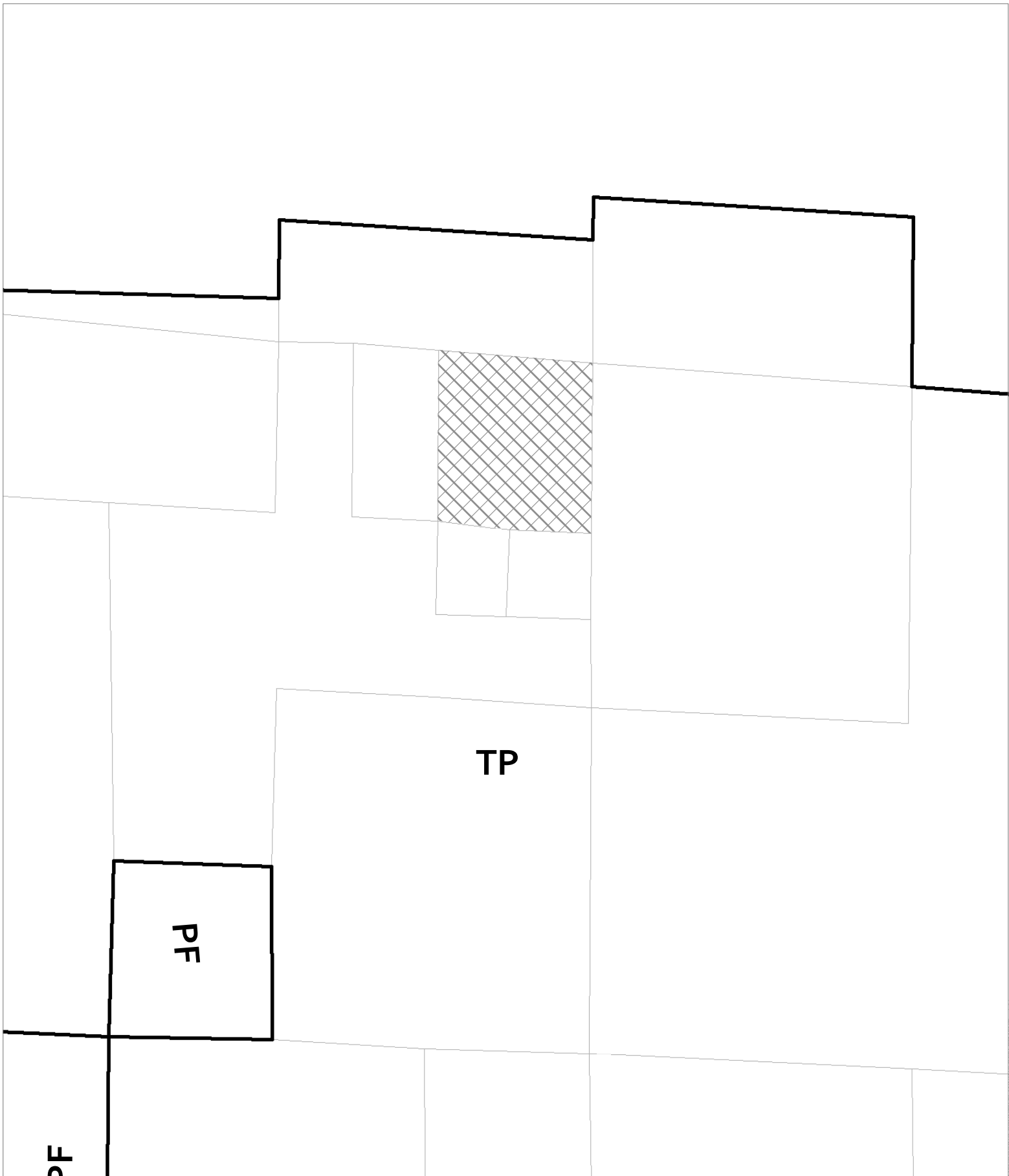
NO KNOWN WATERCOURSES/WETLAND AREAS WITHIN 100 FT OF CULTIVATION AREA.

APPLICANT: BIG FIR FARMS, LLC, RICHARD ETHELTON, 290 ORCHARD LANE, REDWAY, CA 95560  
 APN: 052-010-1600  
 ZONING CODE: TP-160  
 GENERAL PLAN: FL-160  
 PROPERTY OWNER(S) OF RECORD: RICHARD ETHELTON, P.O. BOX 2342, REDWAY, CALIFORNIA 95560  
 SITE ADDRESS: 8060 BAKER CREEK ROAD, WHITETHORN, CA 95589  
 TOTAL PROPERTY ACREAGE: 40 ACRES, 1,742,400 SF  
 PROPOSED CULTIVATION AREA: 10,000 SF

CASE: AP 2019-0040  
 OWNER: SCOTT, Robert  
 APN: 052-010-16  
 APLCT: Big Fir Farms, LLC  
 AGENT: Rain & Zepp  
 ADDRESS: 8060 Baker Creek Road, Whitethorn

NO SCALE

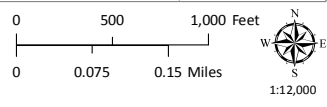
SITE PLAN



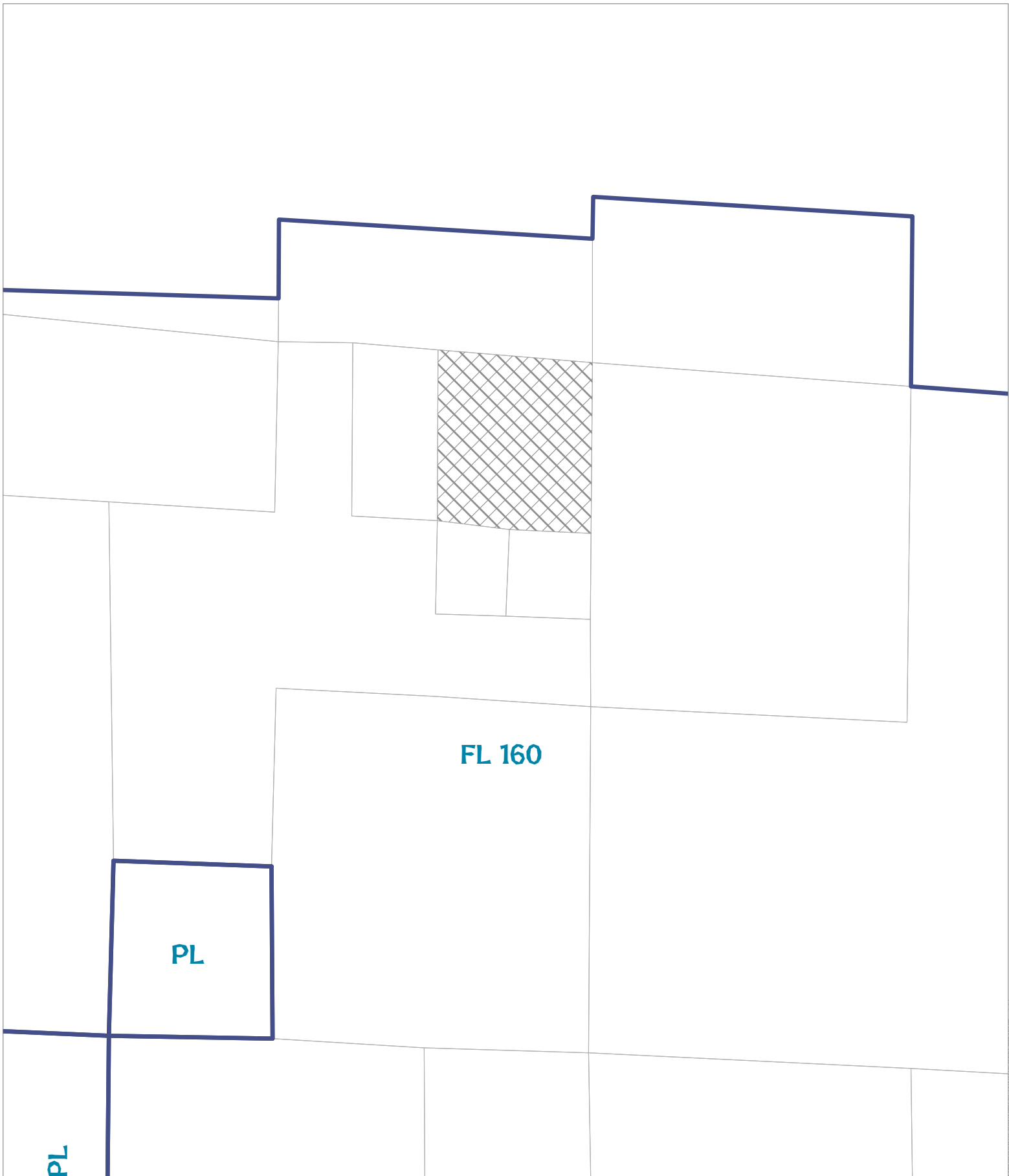
MENDOCINO COUNTY PLANNING DEPARTMENT - 5/10/2019

CASE: AP 2019-0040  
OWNER: SCOTT, Robert  
APN: 052-010-16  
APLCT: Big Fir Farms, LLC  
AGENT: Rain & Zepp  
ADDRESS: 8060 Baker Creek Road, Whitethorn

 Zoning Districts




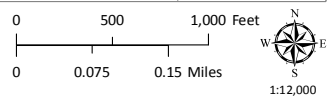
ZONING DISPLAY MAP



MENDOCINO COUNTY PLANNING DEPARTMENT - 5/10/2019

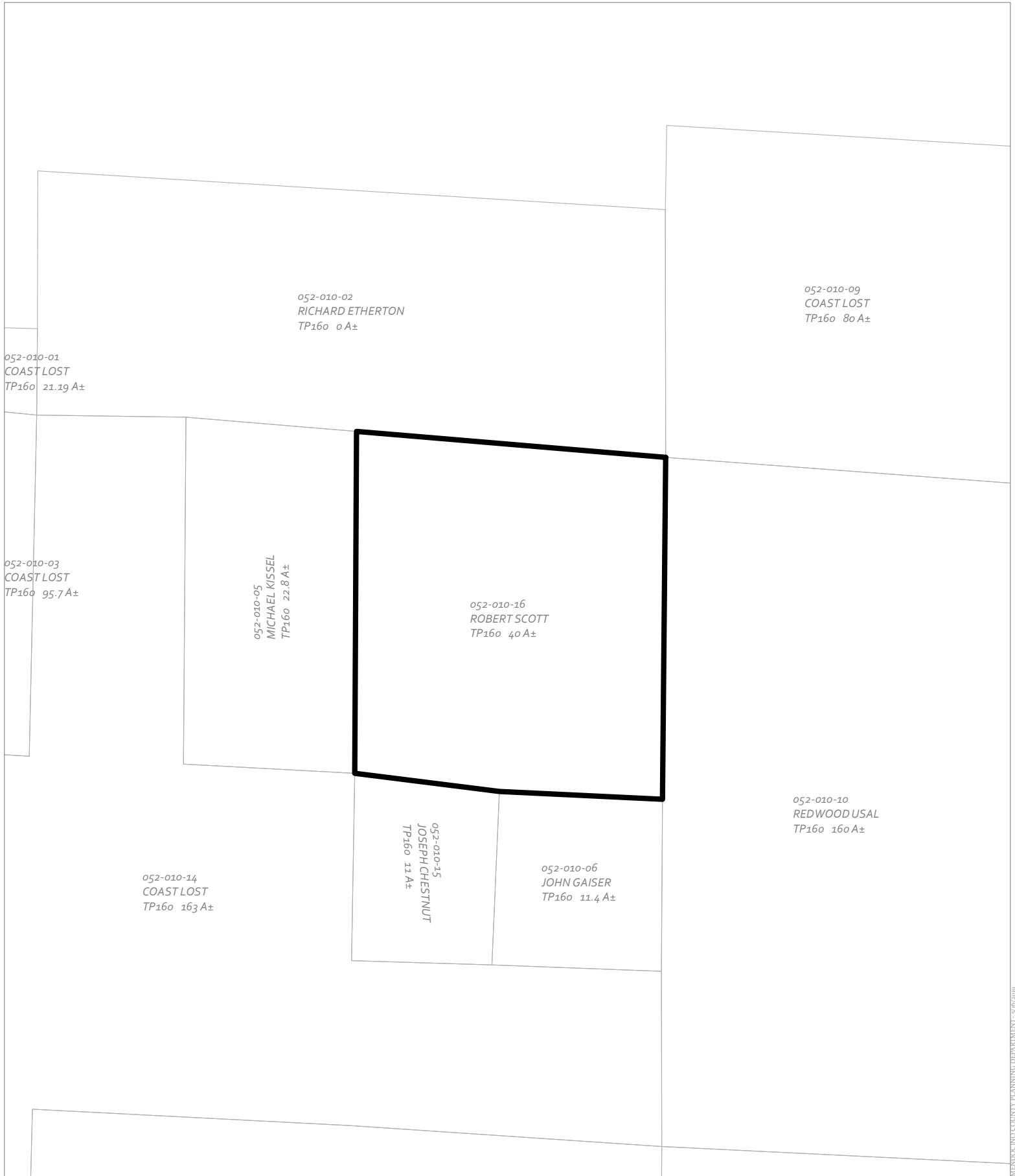
CASE: AP 2019-0040  
OWNER: SCOTT, Robert  
APN: 052-010-16  
APLCT: Big Fir Farms, LLC  
AGENT: Rain & Zepp  
ADDRESS: 8060 Baker Creek Road, Whitethorn

 General Plan Classes



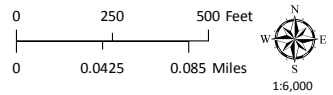
GENERAL PLAN CLASSIFICATIONS



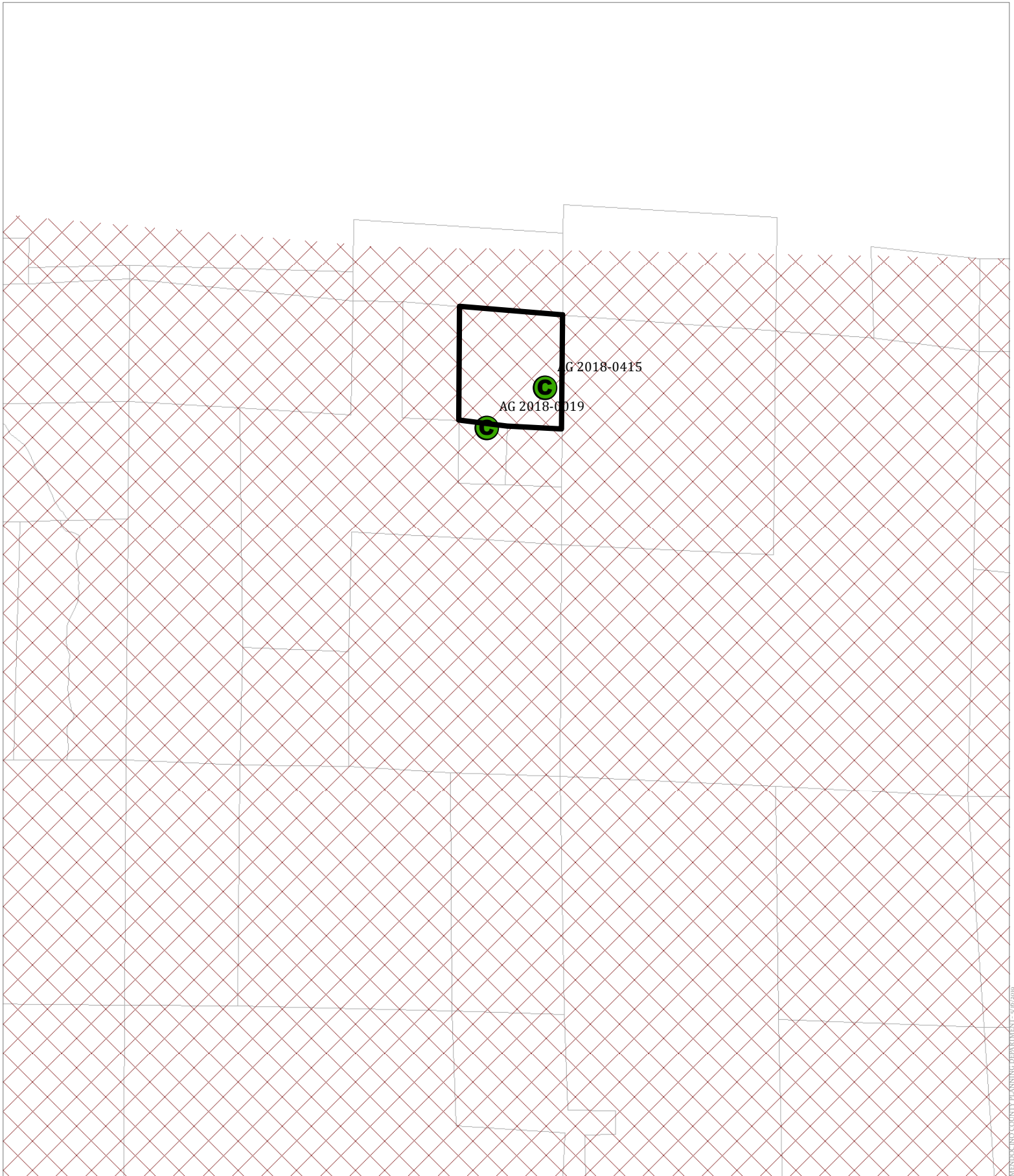


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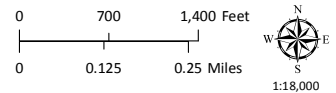


ADJACENT PARCELS



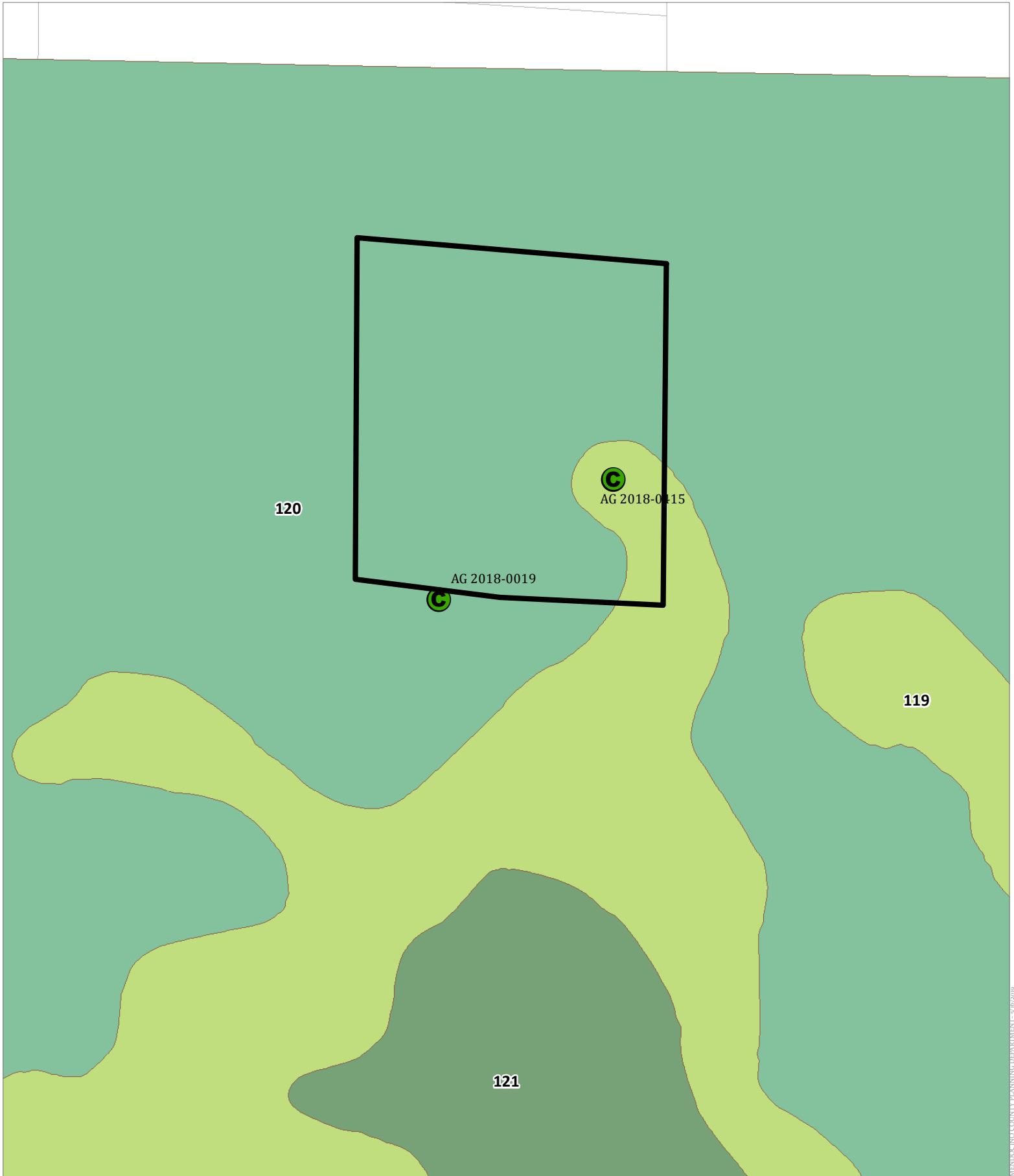
CASE: AP 2019-0040  
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 Cannabis Cultivation Sites  
 High Fire Hazard





FIRE HAZARD ZONES & RESPONSIBILITY AREAS  
STATE RESPONSIBILITY AREA

REDDING COUNTY PLANNING DEPARTMENT - 5/10/2019



CASE: AP 2019-0040  
 OWNER: SCOTT, Robert  
 APN: 052-010-16  
 APLCT: Big Fir Farms, LLC  
 AGENT: Rain & Zepp  
 ADDRESS: 8060 Baker Creek Road, Whitethorn

 Cannabis Cultivation Sites

 Western Study Soil Types

MENDOCINO COUNTY PLANNING DEPARTMENT - 9/10/2019



## North Coast Regional Water Quality Control Board

February 15, 2019

WDID:1\_23CC407495

BIG FIR FARMS, LLC  
ATTN: RICHARD ETHELTON  
290 ORCHARD LANE  
REDWAY, CA 95560

Subject: Notice of Applicability - Waste Discharge Requirements, Water  
Quality Order WQ-2017-0023-DWQ

The attached Notice of Applicability provides notice that the requirements of the State Water Board *Cannabis Cultivation Policy- Principles and Guidelines for Cannabis Cultivation* (Policy), and the *General Waste Discharge Requirements and Waiver of Waste Discharge Requirements for Discharges of Waste Associated with Cannabis Cultivation Activities*, Order No. WQ-2017-0023-DWQ (General Order) are applicable to the site as described below. Based on the information provided, the Discharger self-certifies the cannabis cultivation activities are consistent with the requirements of the State Water Board Policy and General Order.

Please direct all submittals, discharge notifications, and questions regarding compliance and enforcement to the North Coast Regional Water Quality Control Board Cannabis Program at (707) 576-2676 or [northcoast.cannabis@waterboards.ca.gov](mailto:northcoast.cannabis@waterboards.ca.gov).

Sincerely,

*Kason Grady*

On Behalf Of

Water Boards

2019.02.15 12:48:42 PST

Matthias St. John  
Executive Officer  
North Coast Regional Water Quality Control Board

190215\_2M\_1\_23CC407495\_BFF Property 1\_NOA\_TW

DAVID M. NOREN, CHAIR | MATTHIAS ST. JOHN, EXECUTIVE OFFICER

5550 Skyline Blvd., Suite A, Santa Rosa, CA 95403 | [www.waterboards.ca.gov/northcoast](http://www.waterboards.ca.gov/northcoast)



**NOTICE OF APPLICABILITY – WASTE DISCHARGE REQUIREMENTS, WATER QUALITY ORDER WQ-2017-0023-DWQ, BIG FIR FARMS, LLC, MENDOCINO COUNTY APN(s) 052-010-02-00**

Big Fir Farms, LLC (hereafter “Discharger”) submitted information through the State Water Resources Control Board’s (State Water Board’s) online portal on December 10, 2018, for discharges of waste associated with cannabis cultivation related activities. Based on the information provided, the Discharger self-certifies the cannabis cultivation activities are consistent with the requirements of the State Water Board *Cannabis Cultivation Policy-Principles and Guidelines for Cannabis Cultivation* (Policy), and the *General Waste Discharge Requirements and Waiver of Waste Discharge Requirements for Discharges of Waste Associated with Cannabis Cultivation Activities*, Order No. WQ-2017-0023-DWQ (General Order). This letter provides notice that the Policy and General Order are applicable to the site as described below. You are hereby assigned waste discharge identification (WDID) number **1\_23CC407495**.

The Discharger is responsible for all the applicable requirements in the Policy, General Order, and this Notice of Applicability (NOA). This includes making any necessary changes to the enrollment, and the Discharger is the sole person with legal authority to make those changes. The Discharger will be held liable for any noncompliance with the Policy, General Order, and the NOA.

**1. FACILITY AND DISCHARGE DESCRIPTION**

The information submitted by the Discharger states the disturbed area is equal to or greater than 1 acre (43,560 square feet) no portion of the disturbed area is within the setback requirements, some portion of the disturbed area is located on a slope greater than 30 percent, and the cannabis cultivation area is less than or equal to 1 acre.

Based on the information submitted by the Discharger, the cannabis cultivation activities are classified as Tier 2 Moderate Risk.

**2. SITE-SPECIFIC REQUIREMENTS**

The Policy and General Order are available on the Internet at <http://www.waterboards.ca.gov/cannabis>. The Discharger shall ensure that all site operating personnel know, understand, and comply with the requirements contained in the Policy, General Order, this NOA, and the Monitoring and Reporting Program (MRP, Attachment B of the General Order). Note that the General Order contains standard provisions, general requirements, and prohibitions that apply to all cannabis cultivation activities.

The application requires the Discharger to self-certify that all applicable Best Practicable Treatment or Control (BPTC) measures are being implemented, or will be implemented by the onset of the winter period (November 15 - April 1), following the enrollment date.

Landowners of the cultivation site in the North Coast Region are required to submit and implement Site Management Plans that describes how BPTC measures are implemented property-wide, including BPTC measures implemented to address discharges from legacy activities (e.g. former timber harvest, road building, mining, etc.) at the site per Provision C.1.a. of the General Order. Dischargers that cannot implement all applicable BPTC measures by the onset of the winter period, following their enrollment date, shall submit to the appropriate Regional Water Board a *Site Management Plan* that includes a time schedule and scope of work for use by the Regional Water Board in developing a compliance schedule as described in Attachment A of the General Order.

During reasonable hours, the Discharger shall allow the State Water Board or Regional Water Quality Control Board (collectively Water Boards), California Department of Fish and Wildlife, CAL FIRE, and any other authorized representatives of the Water Boards upon presentation of a badge, employee identification card, or similar credentials, to:

- i. enter premises and facilities where cannabis is cultivated; where water is diverted, stored, or used; where wastes are treated, stored, or disposed; or in which any records are kept;
- i. access and copy, any records required to be kept under the terms and conditions of the Policy and General Order;
- ii. inspect, photograph, and record audio and video, any cannabis cultivation sites, and associated premises, facilities, monitoring equipment or device, practices, or operations regulated or required by the Policy and General Order; and
- iii. sample, monitor, photograph, and record audio and video of site conditions, any discharge, waste material substances, or water quality parameters at any location for the purpose of assuring compliance with the Policy and General Order.

### **3. TECHNICAL REPORT REQUIREMENTS**

The following technical report(s) shall be submitted by the Discharger as described below:

A Site Management Plan, by March 09, 2019, consistent with the requirements of General Order Provision C.1.a., and Attachment A, Section 5. Attachment D of the General Order provides guidance on the contents of the Site Management Plan.

A Site Erosion and Sediment Control Plan consistent with the requirements of General Order Provision C.1.b., and Attachment A, Section 5. The Site Erosion and Sediment Control Plan shall be approved by the Regional Water Board Executive Officer prior to implementation. Attachment D of the General Order provides guidance on the contents of the Site Erosion and Sediment Control Plan.

A *Site Closure Report* must be submitted 90 days prior to permanently ending cannabis cultivation activities and seeking to rescind coverage under the General Order. The *Site Closure Report* must be consistent with the requirements of General Order Provision C.1.e., and Attachment A, Section 5. Attachment D of the General Order provides guidance on the contents of the *Site Closure Report*.



#### **4. MONITORING AND REPORTING PROGRAM**

The Discharger shall comply with the Monitoring and Reporting Program (MRP). Attachment B of the General Order provides guidance on the contents for the annual reporting requirement. Annual reports shall be submitted to the Regional Water Board by March 1 following the year being monitored. The Discharger shall not implement any changes to this MRP unless and until a revised MRP is issued by the Regional Water Board Executive Officer or the State Water Board Division of Water Quality Deputy Director, or the State Water Board Chief Deputy Director.

#### **5. ANNUAL FEE**

According to the information submitted, the discharge is classified as Tier 2 Moderate Risk with the current annual fee assessed at \$3,000. The fee is due and payable on an annual basis until coverage under this General Order is formally rescinded. To rescind coverage, the Discharger must submit a Notice of Termination, including a Site Closure Report at least 90 days prior to termination of activities and include a final MRP report.

#### **6. TERMINATION OF COVERAGE UNDER THE GENERAL ORDER & REGIONAL WATER BOARD CONTACT INFORMATION**

Cannabis cultivators that propose to terminate coverage under the Conditional Waiver or General Order must submit a Notice of Termination (NOT). The NOT must include a *Site Closure Report* (see Technical Report Requirements above), and Dischargers enrolled under the General Order must also submit a final monitoring report. The Regional Water Board reserves the right to inspect the site before approving a NOT. Attachment C of the General Order includes the NOT form and Attachment D of the General Order provides guidance on the contents of the *Site Closure Report*.

If the Discharger cannot comply with the General Order, or will be unable to implement an applicable BPTC measure contained in Attachment A by the onset of the winter period each year, the Discharger shall notify the North Coast Regional Cannabis Unit staff at (707) 576-2676 or [northcoast.cannabis@waterboards.ca.gov](mailto:northcoast.cannabis@waterboards.ca.gov) so that a site-specific compliance schedule can be developed.

Cc: Kevin Porzio, State Water Resources Control Board, [dwq.cannabis@waterboards.ca.gov](mailto:dwq.cannabis@waterboards.ca.gov)  
Cheri Sanville, California Department of Fish and Wildlife, [cheri.sanville@wildlife.ca.gov](mailto:cheri.sanville@wildlife.ca.gov)  
Daniel Boe, Mendocino County Department of Agriculture, [agcomm@co.mendocino.ca.us](mailto:agcomm@co.mendocino.ca.us)  
Richard Etherton PO Box 2342 Redway, CA 95560  
Robert Scott PO Box 2133 Redway, CA 95560