



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
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pbs@mendocinocounty.org
www.mendocinocounty.org/pbs

November 6, 2019

Planning – Fort Bragg
Department of Transportation
Environmental Health - Fort Bragg
Building Inspection - Fort Bragg
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#: U_2019-0025

DATE FILED: 10/3/2019

OWNER: H2O PROJECTS LLC

APPLICANT: DWIGHT ALLAN HARRIS, JR.

REQUEST: Minor Use Permit to allow for a cannabis cultivation permit (Type C-A: Indoor) of no more than 2,500 sq. ft. of mature canopy and a nursery of no more than 12,000 sq. ft. of immature canopy within separate structures per Mendocino County Code Sections 20.242.040 (C)(1)(c) and 20.242.040(B).

LOCATION: 4.4± miles southeast of the City of Fort Bragg center, lying on the north side of State Highway 20 (SH 20), 1.6± miles northwest of its intersection with Road 350 (Private), located at 27972 W. Highway 20 (APN: 020-422-26).

ENVIRONMENTAL DETERMINATION: Categorically Exempt

SUPERVISORIAL DISTRICT: 4

STAFF PLANNER: MARK CLISER

RESPONSE DUE DATE: November 20, 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 _____

OWNER:

H2O PROJECTS LLC

APPLICANT:

Dwight Allan Harris, Jr.

AGENT:

NA

REQUEST:

Minor Use Permit request to allow for a cannabis cultivation permit (Type C-A: Indoor) of no more than 2,500 sq. ft. of mature canopy and a nursery of no more than 12,000 sq. ft. of immature canopy within separate structures per Mendocino County Code Sections 20.242.040 (C)(1)(c) and 20.242.040(B).

LOCATION:

4.4± miles southeast of the City of Fort Bragg center, lying on the north side of State Highway 20 (SH 20), 1.6± miles northwest of its intersection with Road 350 (Private), located at 27972 W. Highway 20 (APN: 020-422-26).

APN/S:

020-422-26-00

PARCEL SIZE:

10.11 ± acres

GENERAL PLAN:

FL160:

ZONING:

TP:160

EXISTING USES:

Cultivation

DISTRICT:

Supervisory District 4 (Gjerde)

RELATED CASES: BF_2019-0265 ("HIGH BARN" COMM. DRYING SHED STRUCTURE); BF 2019-0132 (6 BAY GREENHOUSE ON FOOTPRINT OF 3 CURRENT GH); B 2018-1191 (COMMERCIAL PANEL FOR 4 GREENHOUSES (SEE 18-0951/53/54/55); BF 2018-1038 (CURING & DRYING BUILDING); BF 2018-0955 (960 SQ FT GREENHOUSE #4); BF 2018-0954 (960 SQ FT GREENHOUSE #3); BF 2018-0953 (960 SQ FT GREENHOUSE #2); BF 2018-0951 (960 SQ FT GREENHOUSE #1); BF 2018-0950 (NEW METAL CONTAINER); AG 2017-0662 (AGRICULTURE); AG 2019-0185 (AGRICULTURE); AP 2018-0049 (CULTIVATION IN TPZ ZONE); CFBL 2018-0031 (CANNABIS MICROBUSINESS)

	ADJACENT GENERAL PLAN	ADJACENT ZONING	ADJACENT LOT SIZES	ADJACENT USES
NORTH:	FL160	TP:160	20± acres	Institutional
EAST:	FL160	TP:160	28.25± acres	Institutional
SOUTH:	FL160	FL:160	20± acres	Institutional
WEST:	FL160	TP:160	120± acres	Institutional

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

ADDITIONAL INFORMATION: Applicant is proposing future construction of a single family residence.

ENVIRONMENTAL DATA

1. MAC:

GIS

NA

2. FIRE HAZARD SEVERITY ZONE:

CALFIRE FRAP maps/GIS

Moderate - High

3. FIRE RESPONSIBILITY AREA:

CALFIRE FRAP maps/GIS

Calfire

4. FARMLAND CLASSIFICATION:

GIS

NA

5. FLOOD ZONE CLASSIFICATION:

FEMA Flood Insurance Rate Maps (FIRM)

NO

6. COASTAL GROUNDWATER RESOURCE AREA:

Coastal Groundwater Study/GIS

NA

7. SOIL CLASSIFICATION:

Mendocino County Soils Study Eastern/Western Part

Western Soil Classifications

8. PYGMY VEGETATION OR PYGMY CAPABLE SOIL:

LCP maps, Pygmy Soils Maps; GIS

NA

9. WILLIAMSON ACT CONTRACT:

GIS/Mendocino County Assessor's Office

NO

10. TIMBER PRODUCTION ZONE:

GIS

YES

11. WETLANDS CLASSIFICATION:

GIS

NA

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

NA

17. LANDSLIDE HAZARD:

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

NA

18. WATER EFFICIENT LANDSCAPE REQUIRED:

Policy RM-7; General Plan 4-34

NA

19. WILD AND SCENIC RIVER:

www.rivers.gov (Eel Only); GIS

NA

20. SPECIFIC PLAN/SPECIAL PLAN AREA:

Various Adopted Specific Plan Areas; GIS

NA

21. STATE CLEARINGHOUSE REQUIRED:

Policy

NA

22. OAK WOODLAND AREA:

USDA

NA

23. HARBOR DISTRICT:

Sec. 20.512

NA



Planning and Building
Services

Case No:	U-2019-0025
CalFire No:	
Date Filed:	10-3-2019
Fee:	\$3190.38
Receipt No:	PR1-030851
Received By:	M. Cliser
Office use only	

APPLICATION FORM

APPLICANT

Name: DWIGHT ALLAN HARRIS JR Phone: 707-813-7722

Mailing Address: 18601 N HWY 1 PMB 110

City: FORT BRAGG, State/Zip: CA 95437 email: ALLAN @ LITHOUSE.FARM

PROPERTY OWNER

Name: H2O PROTECTS LLC Phone: 707-813-7722

Mailing Address: 18601 N HWY 1 PMB 110

City: FORT BRAGG State/Zip: CA 95437 email: ALLAN @ LITHOUSE.FARM

AGENT

Name: Phone:

Mailing Address:

City: State/Zip: email:

Parcel Size: 10.11 (Sq. feet/Acres) Address of Property: 27972 HWY 20

Assessor Parcel Number(s): 020-422-26

TYPE OF APPLICATION:

- ☐ Administrative Permit
- ☐ Agricultural Preserve
- ☐ Airport Land Use
- ☐ CDP- Admin
- ☐ CDP- Standard
- ☐ Certificate of Compliance
- ☐ Development Review
- ☐ Exception

- ☐ Flood Hazard
- ☐ General Plan Amendment
- ☐ Land Division-Minor
- ☐ Land Division- Major
- ☐ Land Division-Parcel
- ☐ Land Division-Resubdivision
- ☐ Modification of Conditions
- ☐ Reversion to Acreage

- ☐ Rezoning
- ☐ Use Permit-Cottage
- ☒ Use Permit-Minor
- ☐ Use Permit-Major
- ☐ Variance
- ☐ Other

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

Signature of Applicant/Agent

Date

Oct 2nd 2019

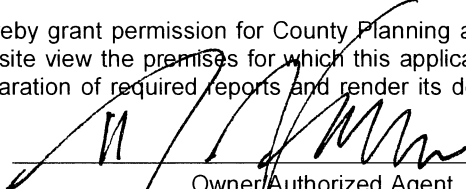
Signature of Owner

Date

Oct 2nd 2019

CERTIFICATION AND SITE VIEW AUTHORIZATION- SUBMIT ONLY ONE COPY

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

Oct 2nd 2019

Date

NOTE: IF SIGNED BY AGENT, OWNER MUST SIGN BELOW.

AUTHORIZATION OF AGENT

I hereby authorize _____ to act as my representative and to bind me in all matters concerning this application.

Owner

Date

MAIL DIRECTION

To facilitate proper handling of this application, please indicate the names and mailing addresses of individuals to whom you wish correspondence and/or staff reports mailed if different from those identified on Page 1 of the application form.

Name	Name	Name
Mailing Address	Mailing Address	Mailing Address

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.

Applicant: 

Date: Oct 2nd 2019

SITE AND PROJECT DESCRIPTION QUESTIONNAIRE

The purpose of this questionnaire is to relate information concerning your application to the Department of Planning and Building Services and other agencies who will be reviewing your project proposal. Please remember that the clearer picture that you give us of your project and the site, the easier it will be to promptly process your application. Please answer all questions. Those questions which do not pertain to your project please indicate "Not applicable" or "N/A".

THE PROJECT

1. Describe your project. Include secondary improvements such as wells, septic systems, grading, vegetation removal, roads, etc.

WELL: IN PLACE W/ PERMIT

SEPTIC SYSTEM: PERMIT PULLED

GRADING: N/A, VEGETATION REMOVAL: N/A, ROADS: N/A

STORAGE BLDG, TO BE CONVERTED TO AN INDOOR CULTIVATION FACILITY. YEAR-ROUND STAGGERED HARVEST EVERY 21 DAYS.

(3) ROOMS EACH W/ 720 SF OF FLOWERING CANOPY. (2160 SF) TOTAL

(1) ADDITIONAL ROOM FOR STORAGE.

TOTAL STRUCTURE: 36' X 120'

4320 SF

EXISTING ADMIN PERMIT GRANTED FOR 10,000 SF MIXED LIGHT, TO BE REDUCED TO 3600 SF. MIXED LIGHT + 2,160 INDOOR

DUE TO PURE POWER LIMITATIONS.

2. Structures/Lot Coverage	Number of Units		Square Footage		
	Existing	Proposed	Existing	Proposed	Total
<input checked="" type="checkbox"/> Single Family		(1)		1000	1000
<input type="checkbox"/> Mobile Home					
<input type="checkbox"/> Duplex					
<input type="checkbox"/> Multifamily					
<input checked="" type="checkbox"/> Other: <u>INDOOR</u>		(1)		4320	4320
<input checked="" type="checkbox"/> Other: <u>PROCESSING BLDG</u>		(1)	4900	2970	2970
<input checked="" type="checkbox"/> Other: <u>GREENHOUSE</u>	(4)	(1)	4000	7566	7566
	TO BE DEMOLISH				
Total Structures Paved	15,850	3000	20,000	50,000	341,541
Area Landscaped Area					
Unimproved Area	STRUCT.	PAVED	ROADS.	LANDSCAPED.	UNIMPROVED.
GRAND TOTAL (Equal to gross area of Parcel)			440,391 SF		

3. If the project is commercial, industrial or institutional, complete the following:

Estimated employees per shift: 2
 Estimated shifts per day: 1
 Type of loading facilities proposed: ONLY PER WEEK, VAN DELIVERY.

4. Will the proposed project be phased? ☐ Yes ☒ No If yes, explain your plans for phasing:

5. Will vegetation be removed on areas other than the building sites and roads? ☐ Yes ☒ No Explain:

6. Will the project involve the use or disposal of potentially hazardous materials such as toxic substances, flammables, or explosives? ☐ Yes ☒ No If yes, explain:

7. How much off-street parking will be provided?

	Number	Size
Number of covered spaces	<u>4</u>	<u>200 SF EACH 10' x 20'</u>
Number of uncovered spaces	<u>4</u>	_____
Number of standard spaces	_____	_____
Number of handicapped spaces	<u>1</u>	<u>20' x 20'</u>
Existing Number of Spaces	_____	_____
Proposed Additional Spaces	_____	_____
Total	_____	_____

8. Is any road construction or grading planned? ☐ Yes ☒ No If yes, grading and drainage plans may be required. Also, describe the terrain to be traversed (e.g., steep, moderate slope, flat, etc.).

FLAT,

9. For grading or road construction, complete the following:

A. Amount of cut _____ cubic yards
 B. Amount of fill _____ cubic yards
 C. Maximum height of fill slope _____ feet
 D. Maximum height of cut slope _____ feet
 E. Amount of import or export _____ cubic yards
 F. Location of borrow or disposal site _____

10. Does the project involve sand removal, mining or gravel extraction? ☐ Yes ☒ No
If yes, detailed extraction, reclamation and monitoring plans may be required?

11. Will the proposed development convert land currently or previously used for agriculture to another use?
☐ Yes ☒ No
If yes, how many acres will be converted? _____ acres. An agricultural economic feasibility study may be required.

12. Will the development provide public or private recreational opportunities? ☐ Yes ☒ No
If yes, explain below:

13. Is the proposed development visible from State Highway 1 or other scenic route? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	14. Is the proposed development visible from a park, beach or other recreational area? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
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15. Does the development involve diking, filling, dredging or placing structures in open coastal water, wetlands, estuaries or lakes?

Diking: ☐ Yes ☐ No
Filling: ☐ Yes ☐ No
Dredging: ☐ Yes ☐ No

Placement of structures in:
☐ open coastal waters
☐ wetlands
☐ estuaries
☐ lakes

If so, amount of material to be dredged or filled? _____ cubic yards.
Location of dredged material disposal site? _____

Has a U.S. Army Corps of Engineers permit been applied for? ☐ Yes ☐ No

16. Will there be any exterior lighting? ☒ Yes ☐ No If yes, describe below and identify the location of all exterior lighting on the plot plan and building plans.
_____ AT EXTREMOR DOORS
_____ w/ DOWNCAST LIGHTING.

17. Utilities will be supplied to the site as follows:
A. Electricity:
☒ Utility Company (service exists to the parcel)
☐ Utility Company (requires extension of service to site: _____ feet _____ miles)
☐ On Site Generation - Specify: _____
B. Gas:
☒ Utility Company/Tank
☐ On Site Generation - Specify: _____
☐ None
C. Telephone: ☐ Yes ☐ No

18. What will be the method of sewage disposal?
☐ Community sewage system - Specify supplier _____
☒ Septic Tank
☐ Other - Specify: _____

19. What will be the domestic water source:
☐ Community water system - Specify supplier _____
☒ Well
☐ Spring
☐ Other - Specify: _____

20. Are there any associated projects and/or adjacent properties under your ownership?
☐ Yes ☒ No If yes, explain (e.g., Assessor's Parcel Number, address, etc.):

21. List and describe any other related permits and other public approval required for this project, including those required by other County departments, city, regional, state and federal agencies:
 LONG LIST :

22. Describe the location of the site in terms of readily identifiable landmarks (e.g., mailboxes, mile posts, street intersections, etc.):
 HWY 20, MILE MARKER 5.0

23. Are there existing structures on the property? ☒ Yes ☐ No
 If yes, describe below, and identify the use of each structure on the plot plan or tentative map if the proposal is for a subdivision.

24. Will any existing structures be demolished or removed? ☒ Yes ☐ No
 If yes, describe the type of development to be demolished or removed, including the relocation site, if applicable.
 A DEMO PERMIT WILL BE PULLED.

25. Project Height. Maximum height of existing structures _____ feet. Maximum height of proposed structures 35 feet.

26. Gross floor area of existing structures 2 square feet (including covered parking and accessory buildings). Gross floor area of proposed structures _____ square feet (including covered parking and accessory buildings).

27. Lot area (within property lines): 10 ☐ square feet ☒ acres.

28. Briefly describe the project site as it exists before the project, including information on existing structures and their uses, slopes, soil stability, plants and animals, and any cultural, historical or scenic aspects. Attach any photographs of the site that you feel would be helpful.
 WELL MAINTAINED. CANNABIS OPERATION

29. Briefly describe the surrounding properties, including information on plants, animals and any cultural, historic or scenic aspects. Indicate the type of land use (use chart below) and its general intensity. Attach any photographs of the vicinity that you feel would be helpful.
 REDWOODS!

30. Indicate the surrounding land uses:

	North	East	South	West
Vacant	RESIDENTIAL			
Residential Agricultural	X	X	X	
Commercial Industrial				
Institutional Timberland				X
Other				

SITE AND PROJECT DESCRIPTION QUESTIONNAIRE

The purpose of this questionnaire is to relate information concerning your application to the Department of Planning and Building Services and other agencies who will be reviewing your project proposal. Please remember that the clearer picture that you give us of your project and the site, the easier it will be to promptly process your application. Please answer all questions. Those questions which do not pertain to your project please indicate "Not applicable" or "N/A".

THE PROJECT

1. Describe your project. Include secondary improvements such as wells, septic systems, grading, vegetation removal, roads, etc.

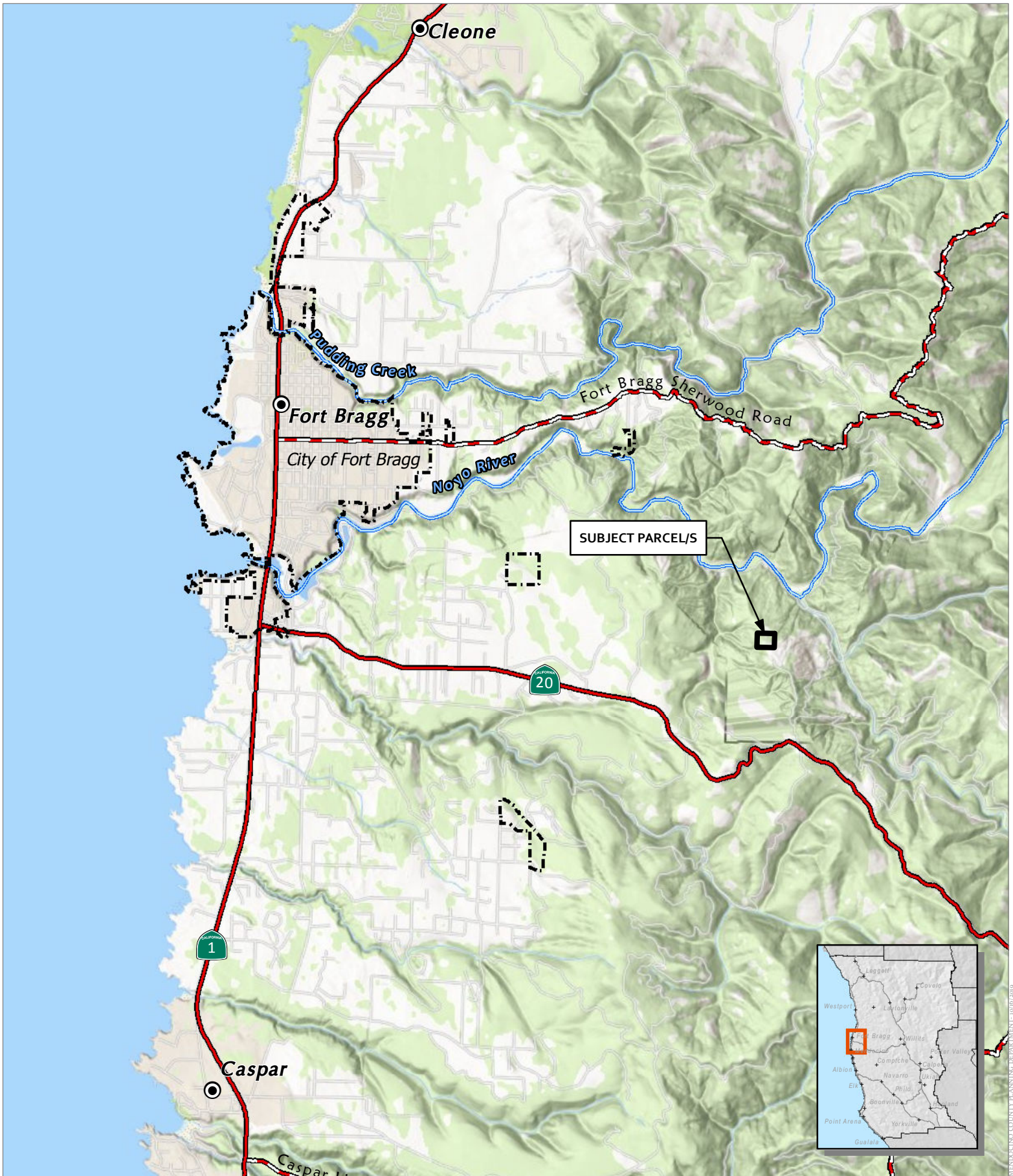
ADD 4600 SF OF NURSERY TO PAIR
w/ A (MULTI-CULTI) PEA INDOOR + MIXED
LIGHT FACILITY.

USE PERMIT FILED FOR 2,160 SF INDOOR

EXISTING ADMIN PERMIT TO BE UPDATED TO
REFLECT CHANGE FROM 10,000 SF TO
3,200 SF

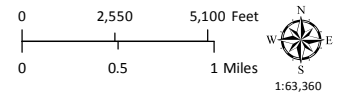
~~A~~ TOTAL PROJECT: 1,600 NURSERY
CANOPY 2,160 INDOOR
3,200 MIXED LIGHT

2. Structures/Lot Coverage	Number of Units		Square Footage		
	Existing	Proposed	Existing	Proposed	Total
<input checked="" type="checkbox"/> Single Family		(1)		1000	
<input type="checkbox"/> Mobile Home					
<input type="checkbox"/> Duplex					
<input type="checkbox"/> Multifamily				4320	
<input checked="" type="checkbox"/> Other: PROLESSING BLOB		(1)		2970	
<input checked="" type="checkbox"/> Other: GREEN HOUSE		(1)		7560	
Total Structures Paved	15,850	3000	36,000	59,000	341,541
Area Landscaped Area	STRAUT.	PAVED SIDEWALKS	ROADS	LANDSCAPE	UNIMPROVED
Unimproved Area					
GRAND TOTAL (Equal to gross area of Parcel)			440,391 SF		



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- Major Towns & Places
- City Limits
- Major Rivers
- Highways
- Major Roads

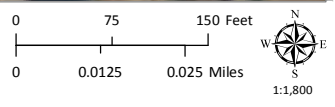


LOCATION MAP

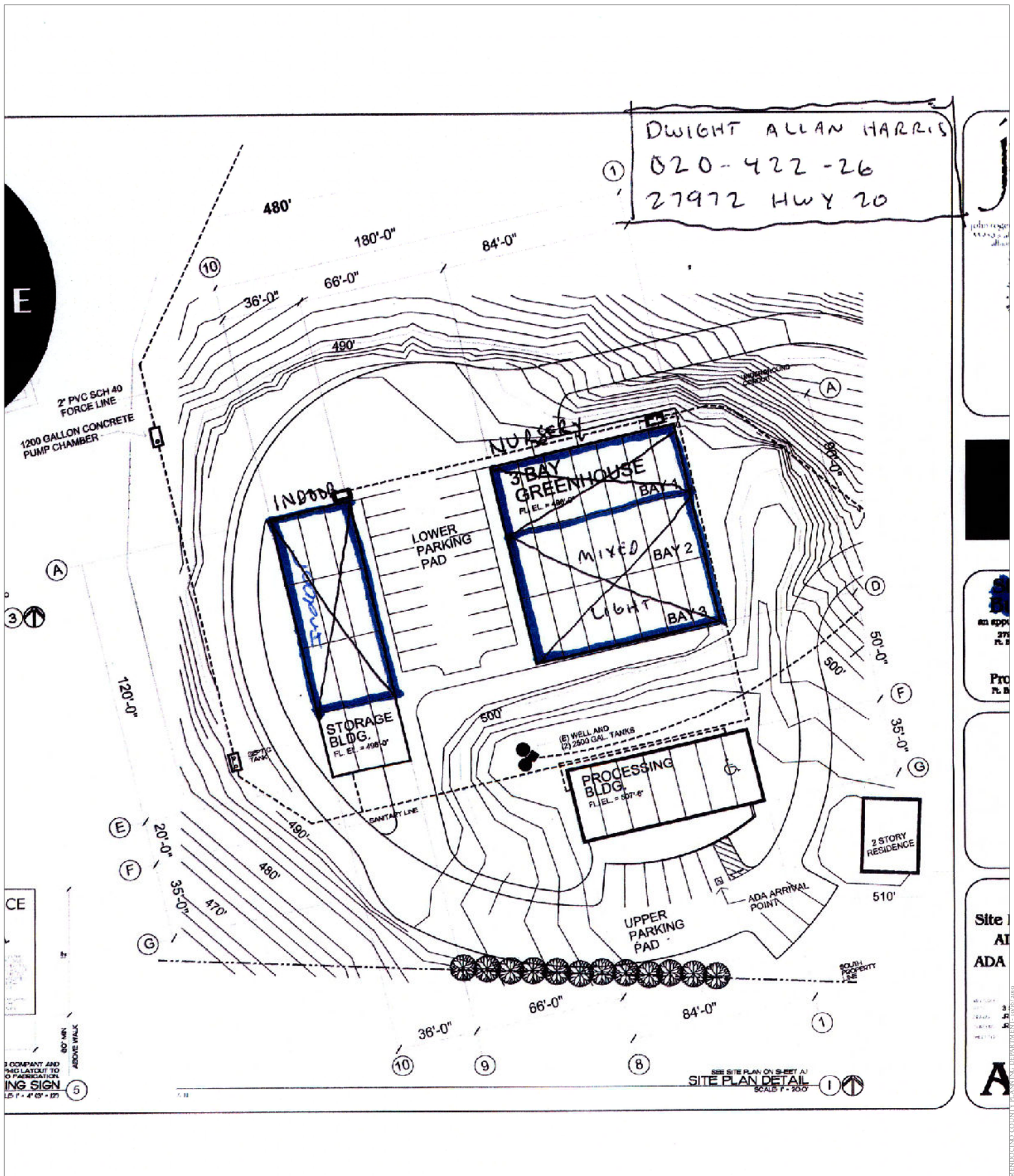


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 Cannabis Cultivation Sites



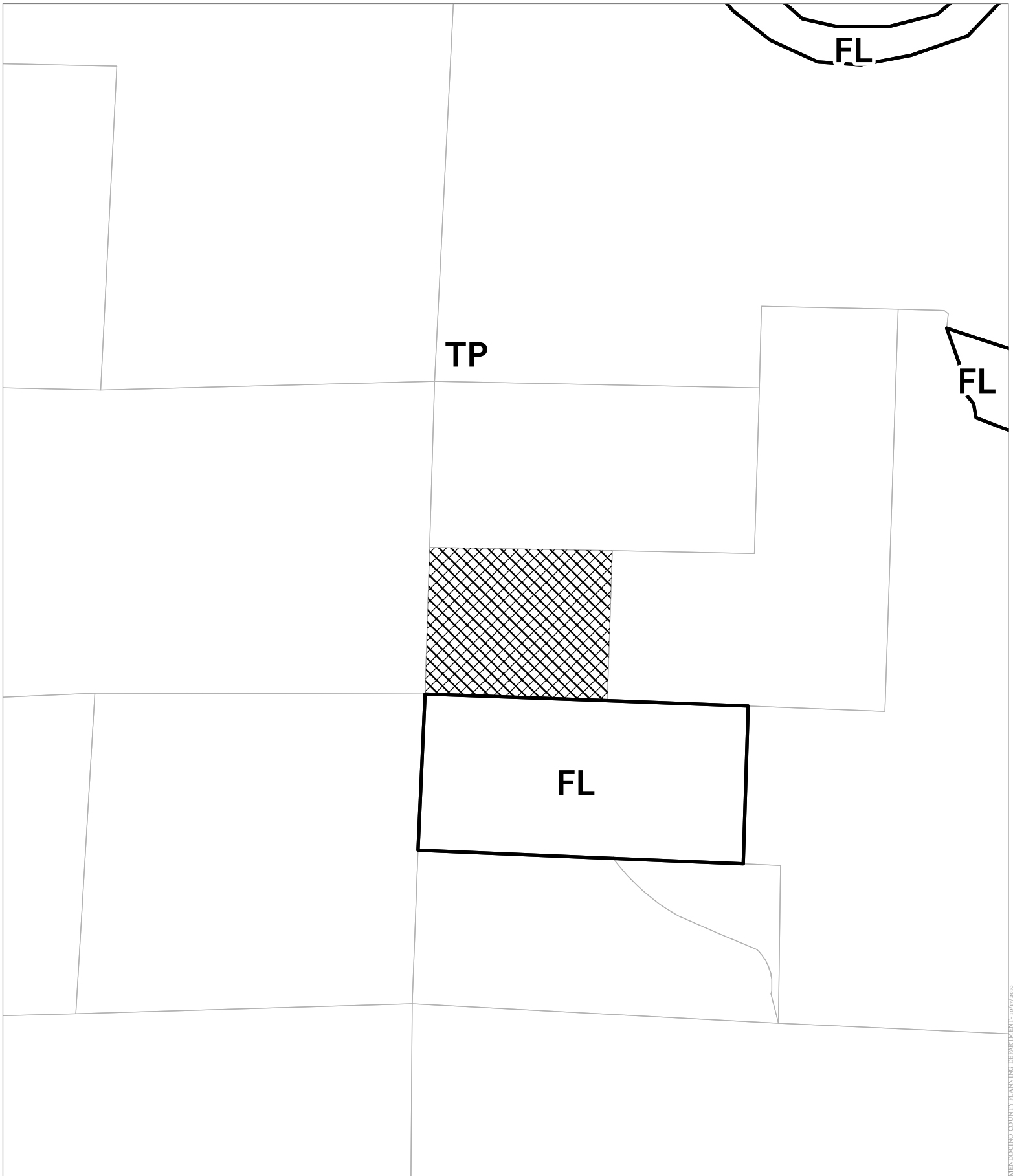
AERIAL IMAGERY



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NO SCALE

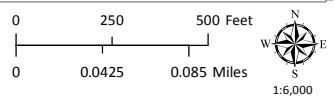
SITE PLAN



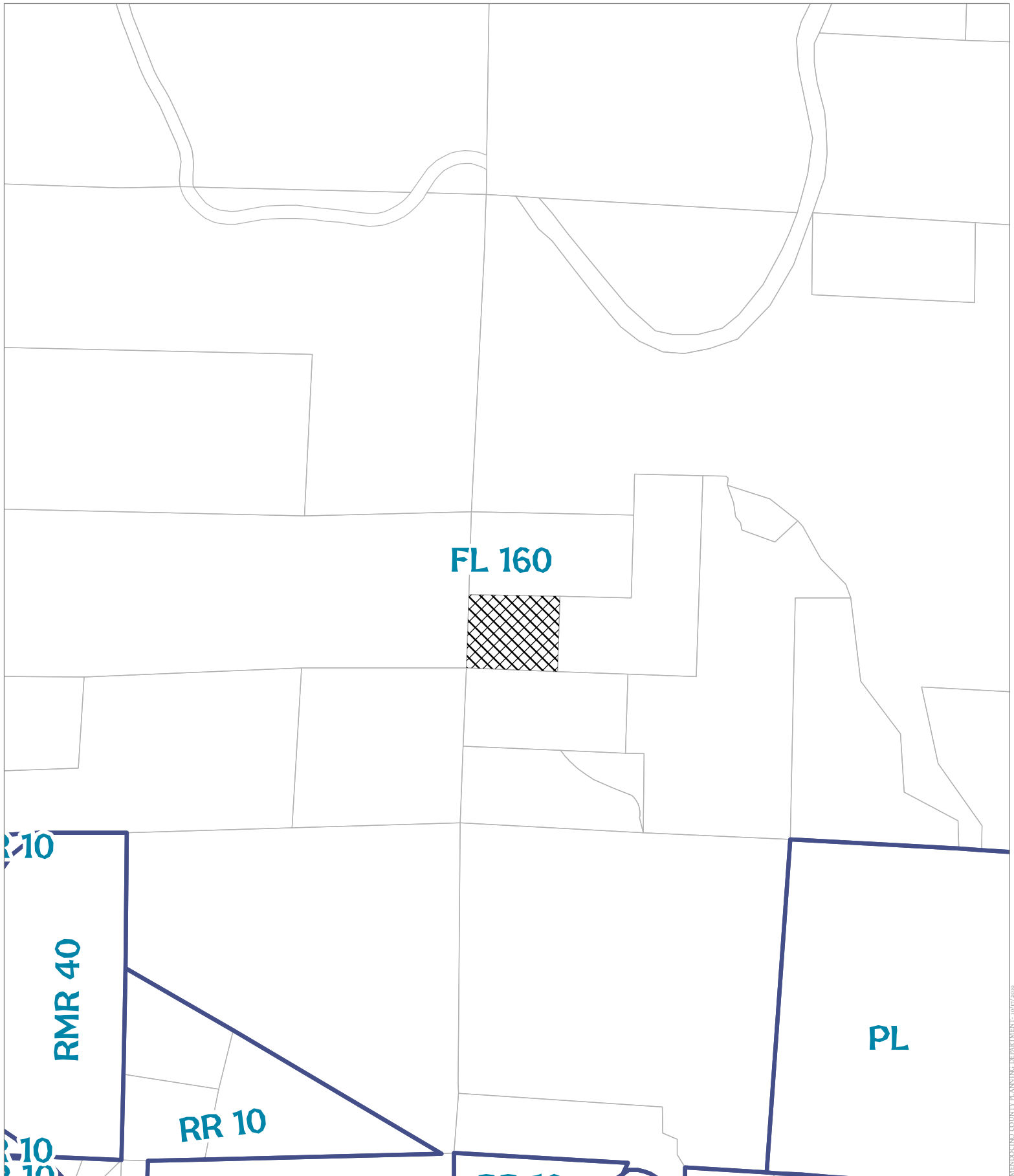
MENDOCINO COUNTY PLANNING DEPARTMENT - 10/27/2019

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 Zoning Districts




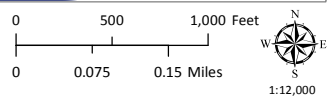
ZONING DISPLAY MAP



MENDOCINO COUNTY PLANNING DEPARTMENT - 10/27/2019

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 General Plan Classes



GENERAL PLAN CLASSIFICATIONS

020-421-18
REDWOOD LYME
TP 160 139 A±

020-422-10
REDWOOD LYME
TP 160 364.2 A±

020-422-24
STEVEN SEVERI
27966 WE HWY 20
TP 160 20 A±

020-421-04
REDWOOD LYME
TP 160 120 A±

020-422-26
PROJECTS H2O
27972 WE HWY 20
TP 160 10.11 A±

020-422-25
LESTER LITTLE
27960 WE HWY 20
TP 160 28.25 A±

020-422-04
DAVID BORSON
27978 WE HWY 20
FL 160 20 A±

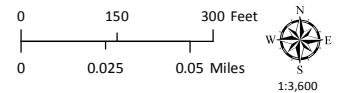
020-421-08
ROGER BURCH
TP 160 40 A±

020-422-27
TIMOTHY ANDERSON
27954 WE HWY 20
TP 160 63.67 A±

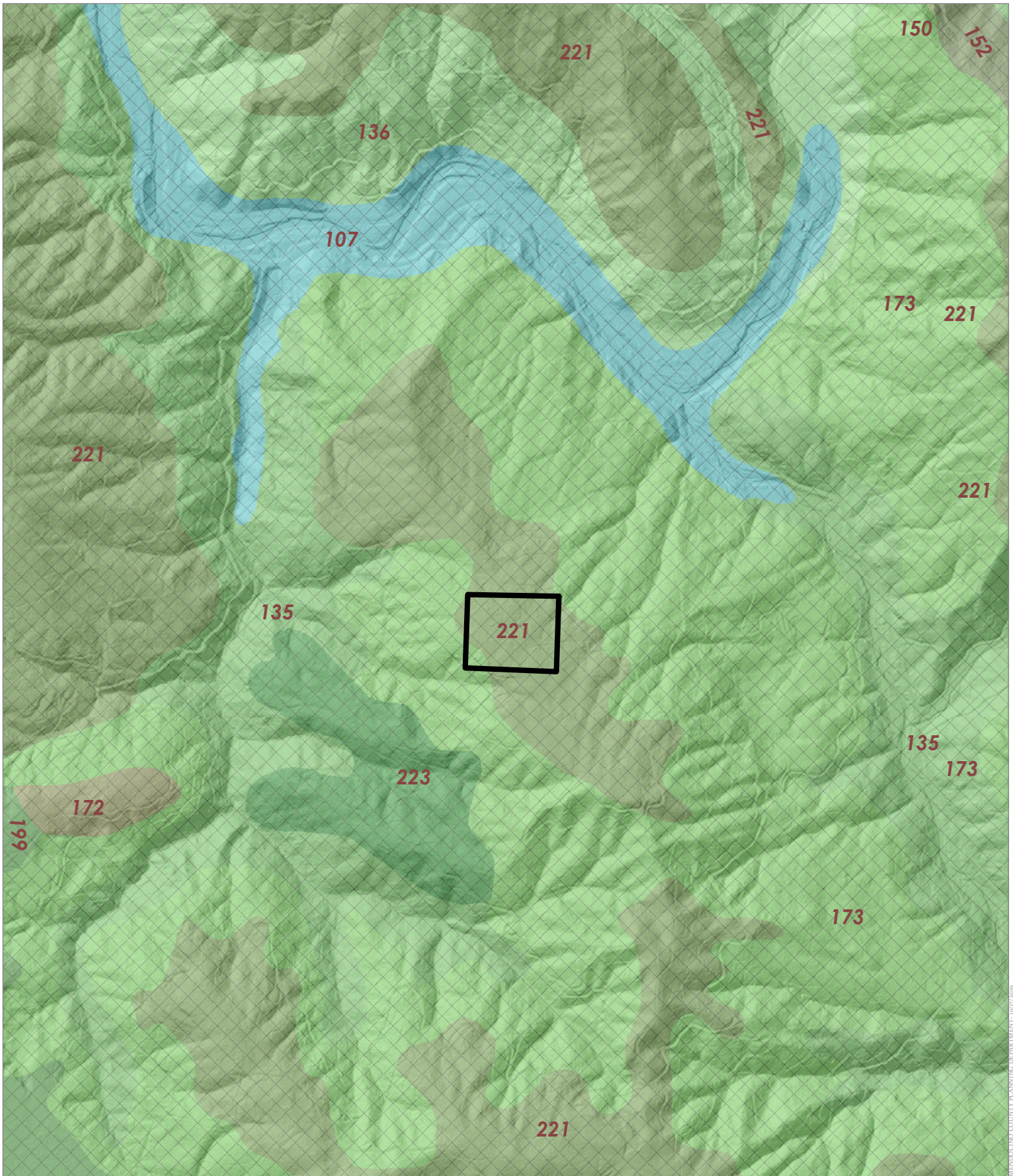
020-422-28
JOEL DEVERS
27984 WE HWY 20
TP 160 3 A±

020-422-05
ROGER BURCH
TP 160 20 A±

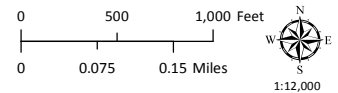
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ADJACENT PARCELS



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WESTERN SOIL CLASSIFICATIONS