



**COUNTY OF MENDOCINO**  
**DEPARTMENT OF PLANNING AND BUILDING SERVICES**

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

IGNACIO "NASH" GONZALEZ, INTERIM DIRECTOR  
 JULIA ACKER KROG, ASSISTANT 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

July 9, 2021

Department of Transportation  
 Environmental Health - Ukiah  
 Building Inspection - Ukiah

Air Quality Management  
 Redwood Valley Water District  
 Redwood Valley/Calpella Fire District

Redwood Valley MAC  
 Redwood Valley Rancheria

**CASE#:** UM\_2021-0003

**DATE FILED:** 3/19/2021

**OWNER:** DAVID R & KATHRYN O LOWE

**APPLICANT:** Shannon Johnson

**AGENT:** Douglas L. Losak

**REQUEST:** Use Permit Modification to continue operations of packaging, processing and sale of pre-composted materials and to remove composting and dog kennel activities that were permitted under UR 49-85-2009 and U 15-2009. As well, the Applicant requests a modification to operating hours to allow for deliveries and operations to be conducted on Saturdays.

**LOCATION:** 1.5 ± miles north of central Redwood Valley at the western terminus of Held Road (CR #230C), 500 feet west of its intersection with East Road (CR #230); located at 1790 Held Rd., Redwood Valley; APN: 161-120-25.

**SUPERVISORIAL DISTRICT:** 1

**STAFF PLANNER:** SUSAN SUMMERFORD

**RESPONSE DUE DATE:** July 23, 2021

**PROJECT INFORMATION CAN BE FOUND AT:**

[www.mendocinocounty.org](http://www.mendocinocounty.org)

Select "Government" from the drop-down; then locate Planning and 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 \_\_\_\_\_

## CASE: UM\_2021-0003 NORTH AMERICAN ORGANICS

---

**OWNER:** KATHRYN & DAVID LOWE

**APPLICANT:** SHANNON JOHNSON

**AGENT:** Douglas L. Losak

**REQUEST:** Use Permit Modification to continue operations of packaging, processing and sale of pre-composted materials and to remove composting and dog kennel activities that were permitted under UR 49-85-2009 and U 15-2009. As well, the Applicant requests a modification to operating hours to allow for deliveries and operations to be conducted on Saturdays.

**LOCATION:** 1.5 ± miles north of central Redwood Valley at the western terminus of Held Road (CR #230C), 500 feet west of its intersection with East Road (CR #230); located at 1790 Held Rd., Redwood Valley; APN: 161-120-25.

**APN/S:** 161-120-2500

**PARCEL SIZE:** 13.5± acres

**GENERAL PLAN:** AG40:

**ZONING:** AG:40

**EXISTING USES:** Currently operating as a composting and amended soil supply company.

**DISTRICT:** 1<sup>st</sup>

**RELATED CASES:** **UR 49-85-2009:** Use Permit Renewal to allow for the continued operation of packaging, processing and sale of pre-composted materials and amendments

**U 15-2009:** Use Permit to establish a commercial dog kennel and breeding business for up to 20 dogs.

---

	<u>ADJACENT GENERAL PLAN</u>	<u>ADJACENT ZONING</u>	<u>ADJACENT LOT SIZES</u>	<u>ADJACENT USES</u>
<b>NORTH:</b>	Agricultural (AG40:)	Agricultural (AG:40)	10.85± and 8.91± acres	Agricultural
<b>EAST:</b>	Agricultural (AG40:)	Agricultural (AG:40)	1.14±, 1.14± and 0.95± acres	Residential
<b>SOUTH:</b>	Agricultural (AG40:)	Agricultural (AG:40)	4.02± and 1.03± acres	Agricultural
<b>WEST:</b>	Rural Residential (RR:5K)	Rural Residential (RR:5K)	3.36±, 2.37± and 3.56± acres	Residential

---

### REFERRAL AGENCIES

#### LOCAL

- Air Quality Management District
- Building Division Ukiah
- Department of Transportation (DOT)
- Environmental Health (EH)

- Redwood Valley/Calpella Fire District
- Redwood Valley MAC
- Redwood Valley Water District

#### TRIBAL

- Redwood Valley Rancheria
- 

**ADDITIONAL INFORMATION:** The applicant is requesting a Use Permit Renewal, as Condition #35 of previous entitlement # UR 49-85/2009 and U 15-2009 specified that the current Use Permit would expire July 21, 2021. The applicant is also requesting that the dog kennel and composting activities allowed under UR\_2009-0007 would be removed from the use permit and that only the mixing of pre-composted materials and sale of amended soils be allowed under the renewal. As well, Saturday commercial operations are requested, with seasonal hours of either 8-4 or 8-2 for spring, summer and fall, winter, respectively.

**STAFF PLANNER:** SUSAN SUMMERFORD

**DATE:** 7/9/2021

## ENVIRONMENTAL DATA

### 1. MAC:

GIS

*Redwood Valley MAC*

### 2. FIRE HAZARD SEVERITY ZONE:

CALFIRE FRAP maps/GIS

*None*

### 3. FIRE RESPONSIBILITY AREA:

CALFIRE FRAP maps/GIS

*Redwood Valley/Calpella Fire Protection District*

### 4. FARMLAND CLASSIFICATION:

GIS

*Farmland of Statewide Importance (S) and Rural Residential & Rural Commercial (R)*

### 5. FLOOD ZONE CLASSIFICATION:

FEMA Flood Insurance Rate Maps (FIRM)

*YES*

### 6. COASTAL GROUNDWATER RESOURCE AREA:

Coastal Groundwater Study/GIS

*No*

### 7. SOIL CLASSIFICATION:

Mendocino County Soils Study Eastern/Western Part

*Western soils*

### 8. PYGMY VEGETATION OR PYGMY CAPABLE SOIL:

LCP maps, Pygmy Soils Maps; GIS

*No*

### 9. WILLIAMSON ACT CONTRACT:

GIS/Mendocino County Assessor's Office

*NO*

### 10. TIMBER PRODUCTION ZONE:

GIS

*NO*

### 11. WETLANDS CLASSIFICATION:

GIS

*Zone X, small portion Zone A*

### 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

*YES*

### 16. STATE FOREST/PARK/RECREATION AREA ADJACENT:

GIS; General Plan 3-10

*No*

### 17. LANDSLIDE HAZARD:

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

*No*

### 18. WATER EFFICIENT LANDSCAPE REQUIRED:

Policy RM-7; General Plan 4-34

*Yes*

### 19. WILD AND SCENIC RIVER:

[www.rivers.gov](http://www.rivers.gov) (Eel Only); GIS

*No*

### 20. SPECIFIC PLAN/SPECIAL PLAN AREA:

Various Adopted Specific Plan Areas; GIS

*NO*

### 21. STATE CLEARINGHOUSE REQUIRED:

Policy

*No*

### 22. OAK WOODLAND AREA:

USDA

*No*

### 23. HARBOR DISTRICT:

Sec. 20.512

*No*



PLANNING & BUILDING SERVICES

CASE NO: UM-2021-0003
DATE FILED: 3/19/21
FEE: \$ 6,892.00
RECEIPT NO: PRS-040407
RECEIVED BY: Matt Gaines
Office Use Only

APPLICATION FORM

APPLICANT:

Name: SHARON JOHNSON Phone: 707-485-7947
Mailing Address: P.O. Box 70
City: Redwood Valley State/Zip: CA 95470 Email: nao soil@yahoo.com

PROPERTY OWNER:

Name: KATHRYN LOWE Phone: 707-485-8874
Mailing Address: 1790 Held Rd
City: Redwood Valley State/Zip: CA Email: nao soil@comcast.net

AGENT:

Name: Douglas L. Losak Phone: 707-468-9271
Mailing Address: 445 North State Street
City: Ukiah State/Zip: CA 95480 Email: doug@louisjames.com

ASSESSOR'S PARCEL NUMBER/S: 161-120-25

TYPE OF APPLICATION:

- Administrative Permit
Agricultural Preserve: New Contract
Agricultural Preserve: Cancellation
Agricultural Preserve: Rescind & ReEnter
Airport Land Use
Development Review
Exception
Flood Hazard Development Permit
General Plan Amendment
Land Division - Minor
Land Division - Major
Land Division - Parcel
Land Division - Re-Subdivision
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.

Signatures and dates for Sharon Johnson and Kathryn Lowe, dated 2/13/21.

**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.**

Use permit renewed for continued operation of packaging, processing and sale of pre-composted material. North American Organics, LLC, will not be applying for the same permit. We have no desire for a compositng license. We get pre-composted material, agg by product and mix together and sell back to customers. We deliver our products in our town trucks to customers.

Continued on next page.

2. Structures/Lot Coverage	NO. OF UNITS		SQUARE FOOTAGE		
	EXISTING	PROPOSED	EXISTING	PROPOSED	TOTAL
<input type="checkbox"/> Single Family					
<input type="checkbox"/> Mobile Home					
<input type="checkbox"/> Duplex					
<input type="checkbox"/> Multifamily					
<input checked="" type="checkbox"/> Other: Carport	1	0	27	0	27
<input checked="" type="checkbox"/> Other: Mechanic Shop	1	0	1920		1920
<input checked="" type="checkbox"/> Other: Pole Barns	2	0	11,200		11,200
<input type="checkbox"/> Office	1		465		465
<b>GRAND TOTAL (Equal to gross area of Parcel):</b>					<b>13,612</b>

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

Estimated No. of Employees per shift: 3

Estimated No. of shifts per day: 1

Type of loading facilities proposed: Load trucks or trailers with front ended loaders. Customers may purchase in bulk then pay to have us bag their purchased material.

The previous permit was for an approved small composting site, Dog kennel, and permit renewal. This application is for a renewal to operate. We do not wish to seek a small composting permit. We do not have a dog kennel use. We would like to continue to conduct our landscape fertilizer mixing yard. We receive egg by product that is pre composted and mix together and sell back to customers. We would like to cease temperature taking of every load brought to our yard. This was being done per the small composting permit. My understanding was as soon as we applied, we had to start the practice of what that permit entailed. Also, the SWM3P that was required with small composting permit got changed to SWMP and has minimal reporting do every year and a required engineer to construct the plan. I would like to not have to do this because I am not a composter. I do regular reporting to the appropriate entities for our breakdowns and problems. I feel confident that any scenarios that could arise will be delt with transparently and in a timely fashion, so I see no real need to continue with the SWMP. And given NAO's history there is no indication to continue reporting with SWMP. Minimal contact with Mendocino county code enforcement over a thirty-six-year business is a good record. As far as odors go and the dust mitigation complaints those are addressed as they come in. If anything, an Odor impact minimization plan would best help our facility the reporting agencies and the close community involved. Odor impact minimization plans are required of composting facilities, but I have always believed they would help our facility and close community. Their purpose is to allow composting companies and neighborhoods the ability to address odor issues as they arise in a timely fashion and then facility reports to agencies that oversee the facility.

Also, the last permit renewal was changed to not being open to public on Saturdays. I need this changed. I would like to be open Monday through Saturday. This is what our year looks like for operating hours. Spring, when it stops raining, we are open Monday through Friday 8am to 6pm. Spring Saturdays are 8am to 4pm. Usually about four months out of the year. Summer hours usually from July to August, are Monday through Friday 8am to 4pm. Saturday 8am to 4 pm. Fall hours Usually from August to October are Monday through Friday 8am to 4pm, Saturday 8am to 2pm. Winter hours are usually October to November Monday through Friday 8am to 4pm, Saturday 8am to 2 pm. December January are now appointment only. So basically, I would like to Have maximum hours of operation 8am to 6pm Monday Through Friday, Saturdays would be 8am to 4pm but I would like it to open to my discretion because weather is what rules these times. The entire year we receive material from trucking companies. I would like to be able to change hours to receive between 4 am to 10 pm. Most trucks are coming from mid-state so they will be on the road super early getting them to us super early. It is safer for them to travel. Most people in our area are still sleeping so traffic is not really an issue. I live off west road next to sawmill right next to agriculture and residential. The trucks and employees come in early and it does not seem to affect me, and I am within a quarter of a mile of facility. Also, I would like to start employee hours at 7 am. Meaning that I can come in and warm up tractors before we open to public. We do not turn on machines until usually 9 am. But the tractors need to be warmed up before we are open to public. I have also spent a lot of money on new tractors, so they are incredibly quiet.

To please remove all the words "composting, composting facility, Environmental Health as pertaining to reporting agency"

**4. Will the 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 If 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
No. of covered spaces:	_____	_____
No. of uncovered spaces:	_____	_____
No. of standard spaces:	3	14x20
No. of accessible spaces:	1	9x20
Existing no. of spaces:	_____	_____
Proposed additional spaces:	_____	_____
Total:	4	_____

**8. Is any road construction or grading planned? If yes, grading and drainage plans may be required.**

YES  NO Also, please describe the terrain to be traversed. (e.g., steep, moderate slope, flat, etc.)

---

---

---

---

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

Amount of cut: \_\_\_\_\_ cubic yards  
 Amount of fill: \_\_\_\_\_ cubic yards  
 Max. height of fill slope: \_\_\_\_\_ feet  
 Max. height of cut slope: \_\_\_\_\_ feet  
 Amount of import/export: \_\_\_\_\_ cubic yards  
 Location of borrow or disposal site: \_\_\_\_\_

10. Does the project involve sand removal, mining or gravel extraction? If yes, detailed extraction, reclamation and monitoring plans may be required.

YES  NO

11. Will the proposed development convert land currently or previously used for agriculture to another use?

YES  NO

12. Will the development provide public or private recreation opportunities?

YES  NO If yes, explain how:

---

---

---

---

13. Is the proposed development visible from State Highway 1 or other scenic route?

YES  NO

14. Is the proposed development visible from a park, beach or other recreational area?

YES  NO

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

Structures:  Open Coastal Waters  Wetlands  Estuaries  Lakes

If so, what is the amount of material to be dredged/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 and building plans.

---

---

---

---

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

Electricity:  Utility Company (service exists to parcel)

Utility Company (requires extension of service to site): \_\_\_\_\_ feet \_\_\_\_\_ miles

On Site Generation – Specify:

Gas:  Utility Company/Tank

On Site Generation – Specify:

None

Telephone:  YES  NO



**18. What will be the method of sewage disposal?**

- Community Sewage System (specify supplier): \_\_\_\_\_
- Septic Tank - Office only, only sink drain
- Other (specify): \_\_\_\_\_

**19. What will be the domestic water source:**

- Community Water System (specify supplier): Agg water, rented by N.A.O. for yard only
- Well - Office sink only
- 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:**

Department of Toxic Substances Control, Mendocino County Business License, Motor Carrier Permit, Weigh Master License, M.C.A.Q.M.D  
Renewal of Air Quality Permits to Operate and Authority to Construct, Sellers Permit, Fertilizing Materials License pending review.

---



---

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

1.5 miles (+/-) north of central Redwood Valley at the western terminus of Held Road (CR#230c) 500 feet west of intersection with  
East Road (CR#230).

---



---

**23. Are there existing structures on the property? 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.**

- YES       NO

Eoffice = Where customers enter and purchase products  
1 Ebar = Pole barn where material is stored  
3 Ebar = Mechanics shop, oil storage, dry goods  
2 Ebar = Pole barn where material is stored  
● = Small carport covering fuel tank, see attached map.

**24. Will any existing structure be demolished or removed? If yes, describe the type of development to be demolished or removed, including the relocation site, if applicable.**

- YES       NO

---



---

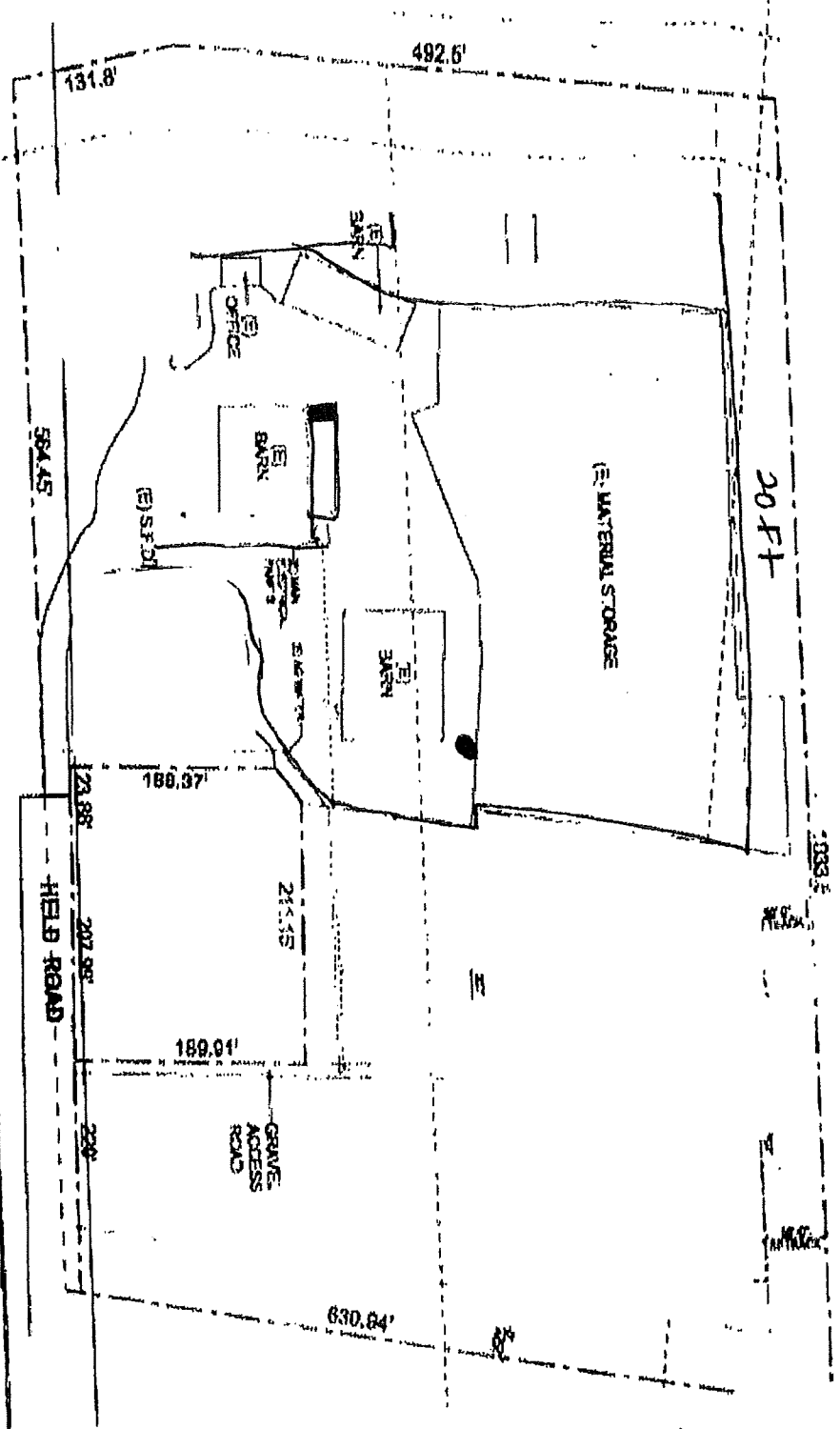


---

From: Kathy Lowe naosoll@comcast.net  
 Subject: X  
 Date: June 30, 2020 at 18:42  
 To: Tom Keator keator@gmail.com

**Applicant:**  
 SHANNON JOHNSON  
 1790 Held Road  
 Redwood Valley, CA  
 17071 367-9801

**Owners:**  
 David & Kathy Lowe  
 P.O. Box 70  
 Redwood Valley, CA  
 (707) 485-7947



**PLOT PLAN**  
 SCALE: 1" = 100'

APN: 161-120-25

550 Gallon Red Diesel tank  
 used oil, 5 gallon pails hydraulic motor, transmission oil



**Matthew Rodriguez**  
Secretary for  
Environmental Protection

## Department of Toxic Substances Control

Barbara A. Lee, Director  
1001 I Street  
P.O. Box 806  
Sacramento, CA 958120806



**Edmund G. Brown Jr.**  
Governor

ATTN: SHANNON JOHNSON  
NORTH AMERICAN ORGANICS LLC  
PO BOX 70  
REDWOOD VALLEY CA 95470

EPA ID Number Issued: January 3, 2019  
Facility Location:  
1780 HELD RD  
REDWOOD VALLEY CA 95470

PERMANENT RECORD - DO NOT DESTROY.  
YOUR CALIFORNIA EPA IDENTIFICATION NUMBER IS:

# CAL000442210

This is to acknowledge that a permanent California Environmental Protection Agency Identification (EPA ID) Number has been assigned to your place of business.

---

An EPA ID Number is assigned to a person or business at a specific site. It is only valid for the location and person or business to which it was assigned. If your business has multiple generation sites, each site must have its own unique number. If you stop handling hazardous waste, move your business, change ownership, change mailing address, or change the type or amount of waste you handle, you must notify the Department of Toxic Substances Control immediately. If your business has moved, your EPA ID Number must be canceled. A new number must be obtained for your new location if you continue to generate hazardous waste.

---

This EPA ID Number must be used for all manifesting, record keeping, and reporting requirements. Please retain this notice in your files.

Department of Toxic Substances Control  
For questions, visit our website at <https://hwts.dtsc.ca.gov> and select reports.

Operator's Initials: SESCOBAR  
Version: January 2017



# INVOICE

**TO:** NORTH AMERICAN ORGANICS LLC  
 PO BOX 70  
 REDWOOD VALLEY CA 95470-0000

**Date:** 07/28/2020  
**VQ Number:** 202089739  
**FEIN:** 832672939

EPA ID Number Verification Fee	
Total EPA ID Numbers	1
EPA ID Number Verification Fee Rate	\$0.00
(Verification amount or maximum of 5000.00, whichever amount is less) <b>Total</b>	<b>\$0.00</b>

Hazardous Waste Manifest Fee			
	Count	Rate	Amount
Air Compliance Solvents	0	\$3.50	\$0.00
Non-Recycled	0	\$7.50	\$0.00
Recycled	0	\$0.00	\$0.00
<b>Manifest Credit</b>			\$0.00
<b>Total</b>			<b>\$0.00</b>

EPA ID Number Verification Fee	\$0.00
Hazardous Waste Manifest Fee	\$0.00
<b>Total Due</b>	<b>\$0.00</b>

Check Payment	Credit Card Payment
<p>Please write the VQ Number on the check and make payable to the Department of Toxic Substances Control (DTSC).</p> <p><b>Mall Check and Copy of Invoice to:</b>            Department of Toxic Substances Control            Accounting Unit            PO Box 1288            Sacramento, CA 95812-1288</p>	<p>You are not required to submit this invoice when paying by credit card.</p> <div style="border: 1px solid black; padding: 5px; text-align: center; margin: 10px auto; width: fit-content;"> <b>Submit Credit Card Payment</b> </div>

This Section for Department Use Only		
ID No: _____	Cash ID No: _____	Invoice No: _____
Approved <input type="checkbox"/> Not Approved <input type="checkbox"/>	Amount: _____	Date: _____
Check #: _____	Check Amount: _____	Check Date: _____
1256005: _____	12560092: _____	12560065: _____
12560035: _____	12560091: _____	12560075: _____
12560096: _____		

SHARI L. SCHAPMIRE  
TREASURER-TAX COLLECTOR  
501 LOW GAP RD., ROOM 1060  
UKIAH, CA 95482



TELEPHONE  
(707) 234-6879

**NON TRANSFERABLE**  
**BUSINESS LICENSE NO**  
127109

**BUSINESS LICENSE**  
Effective Date  
09-01-2020

**NON REFUNDABLE**  
Expiration Date  
08-31-2021

**Business Class:** Retail Merchant/Service

**Business Location:**

North American Organics LLC  
1790 Held Rd  
Redwood Valley, CA 95470

**Business Phone:**

707-485-7947

**Licensee:**

Shannon Johnson; Scott Johnson  
PO Box 70  
Redwood Valley, CA 95470

**FEE PAID:**

Annual: 40.00

Penalty: 0.00

Total: 40.00

**Required Permits:**

Issued By: Helen Daily  
Issue Date: 07-23-2020

CALIFORNIA STATE TRANSPORTATION AGENCY

**DEPARTMENT OF MOTOR VEHICLES**  
Registration Operations Division MS H876  
P.O. BOX 932370 Sacramento, CA. 94232-3700  
(916) 657-8153



01/01/2021

## ORDER OF REINSTATEMENT

NORTH AMERICAN ORGANICS LLC  
PO BX 70  
REDWOOD VALLEY, CA 95470

Motor Carrier Permit Number:  
**0541430**

The suspended/revoked Motor Carrier Permit issued to NORTH AMERICAN ORGANICS LLC will be reinstated effective 01/01/2021.

Upon reinstatement, the permit shall be valid until it expires unless another sanction is imposed by the California Department of Motor Vehicles.

---

California Relay Telephone Service for the Deaf or Hard of Hearing from TDD Phones: 1-800-735-2929; from Voice  
Phones: 1-800-735-2922

*A Public Service Agency*

MC 119 M (REV. 01/2011)



Department of Food and Agriculture  
 Division of Measurement Standards  
 6790 Florin Perkins Rd., Ste. 100, Sacramento, California 95828-1812  
 Email: [dms@cdfa.ca.gov](mailto:dms@cdfa.ca.gov) Web Address: [www.cdfa.ca.gov/dms/programs/wm/wm.html](http://www.cdfa.ca.gov/dms/programs/wm/wm.html)  
 Phone #: (916) 229-3000 Fax #: (916) 229-3055  
 Remit fees payable to: CDFA 90361, PO Box 942872, Sacramento, CA 94271-2872

# Weighmaster License

**Weighmaster**

NORTH AMERICAN ORGANICS LLC  
 PO BOX 70  
 REDWOOD VALLEY, CA 95470  
 Attn: SHANNON JOHNSON

**License No:** 101579  
**Total Fees Remitted:** \$215.00  
**Issue Date:** 12/2/2020

**License Year: 1/1/2021 - 1/1/2022**

The Weighmaster is responsible to renew this license. (Division 5, Chapter 7, Section 12707, Business and Professions Code)

**THIS LICENSE SHALL BE AVAILABLE TO WEIGHTS AND MEASURES OFFICIALS AT EACH WEIGHING LOCATION.**  
 This license is not transferable. Any change in ownership requires a new license.

**Principal Location**

1790 HELD ROAD  
 REDWOOD VALLEY, CA 95470  
 COUNTY: MENDOCINO  
 707-485-7947

**Additional Location(s) - 0**

Only persons listed below may perform the functions of a Deputy Weighmaster for the licensed Weighmaster.

(Division 5, Chapter 7, Section 12703, Business and Professions Code)

For instructions on adding/deleting Deputies to your license, refer to the instruction sheet on our website.  
<http://www.cdfa.ca.gov/dms/programs/wm/wm.html>

**Deputy Weighmaster(s) - 7**

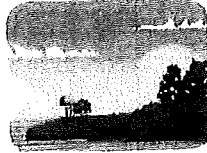
FOGELSANGER, CRYSTAL  
 JOHNSON, SCOTT  
 MORENO, RUBEN

GENET, GREIG  
 JOHNSON, SHANNON

JOHNSON, JESSE  
 MEZA, SALVADOR

**Number of vacant deputy positions: 0**

BARBARA A. MOED  
Air Pollution Control Officer  
www.mendoair.org



306 East Gobbi Street  
Ukiah, California 95482  
(707) 463-4354 Fax: 463-5707  
meaqmd@mendocinocounty.org

**Mendocino County  
Air Quality Management District**

October 2, 2020

Subject: Renewal of Air Quality Permits to Operate

Dear Air Quality Permit Holder:

The Air Quality Management District has received your permit renewal fees. Thank you. Permit renewal stickers for each of your permits are attached to this letter. The permit number on the sticker must match the permit number on the permit! Affix the permit sticker over the expiration date on the permit.

Permits issued by the District contain special conditions relating to your specific operation. Compliance with all permit conditions can affect the way you operate your equipment, the way you do business, or the way you keep records and report information to the District, state or federal agencies. Failure to comply with permit conditions is a violation subject to civil penalties as authorized in Health & Safety Code, Sections 42402, 42402.1, or 42402.2. It is your responsibility to ensure that all operators of the permitted equipment are familiar with and understand these conditions.

Please remember that permits and their conditions are to be posted prominently on or near the equipment to which they apply. You should arrange some way to post your permits that will protect them from damage from the elements or from the materials or conditions of your business. A control room or near a control panel is a convenient location for posting permits, particularly if the conditions of the permit place restrictions on the operational parameters of the equipment (e.g. temperatures, flow rates, pressure drop, electrical current, etc.).

Thank you. If you have any questions, have made, or plan to make changes to your equipment or operation, please call the District office at 707-463-4354.

Barbara A. Moed  
Air Pollution Control Officer

Enclosure(s)





Mendocino County  
Air Quality Management District

306 East Gobbi Street  
Ukiah, California 95482  
(707) 463-4354 Fax: 463-5707  
meaqmd@co.mendocino.ca.us  
www.mendonlr.org

**AUTHORITY TO CONSTRUCT**

Operation under this permit must be conducted in compliance with all data and specifications included with the application under which this permit is issued. The equipment must be properly maintained and kept in good operating condition at all times.

**POST THIS PERMIT IN A CONSPICUOUS PLACE NEAR THE EQUIPMENT.**

**Permit Number:** 2715-5-27-19-26

This permit is valid from September 26, 2019 to September 25, 2020

**Permit Holder:** North American Organics Mendocino County AQMD  
PO Box 70 2715-5-27-19-26  
Redwood Valley, CA 95470 North American Organics  
August 30, 2021

**Equipment located at:** 1790 Held Road, Redwood Valley.

**PERMIT DESCRIPTION**

85 Hp. Tier 3 Diesel IC Engine / Wood Waste Grinder

(see equipment page for details)

**CONDITIONS**

(See Attached Permit Conditions Set # 40)

**THIS PERMIT BECOMES VOID UPON ANY CHANGE OF OWNERSHIP OR ADDRESS OR ANY ALTERATION.**

When construction is complete and upon written notice to the Permittee and (at the District's Discretion) inspection by District Personnel, this Authority to Construct will become a temporary Permit to Operate the equipment listed above.

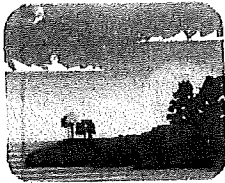
This permit does not authorize the emission of air contaminants in excess of those allowed by the Health and Safety Code of the State of California or the Regulations of the Mendocino County Air Quality Management District. This permit can not be considered permission to violate existing laws, ordinances, regulations or standards of other governmental agencies.

*Barbara Moed*

January 28, 2020

Barbara Moed  
Air Pollution Control Officer

Date



**Mendocino County  
Air Quality Management District**

306 East Gobbi Street  
Ukiah, California 95482  
(707) 463-4354 Fax: 463-5707  
mcaqmd@co.mendocino.ca.us  
www.mendoair.org

**AUTHORITY TO CONSTRUCT**

Operation under this permit must be conducted in compliance with all data and specifications included with the application under which this permit is issued. The equipment must be properly maintained and kept in good operating condition at all times.

**POST THIS PERMIT IN A CONSPICUOUS PLACE NEAR THE EQUIPMENT.**

**Permit Number: 2715-5-27-19-26**

**This permit is valid from September 26, 2019 to September 25, 2020**

**Permit Holder: North American Organics  
PO Box 70  
Redwood Valley, CA 95470**

**Equipment  
located at: 1790 Held Road, Redwood Valley.**

**PERMIT DESCRIPTION**

**85 Hp, Tier 3 Diesel IC Engine / Wood Waste Grinder**

(see equipment page for details)

**CONDITIONS**

(See Attached Permit Conditions Set # 406)

**THIS PERMIT BECOMES VOID UPON ANY CHANGE OF OWNERSHIP OR ADDRESS OR ANY ALTERATION.**

When construction is complete, and upon written notice to the District and (at the District's Discretion) inspection by District Personnel, this Authority to Construct will become a temporary Permit to Operate the equipment listed above.

This permit does not authorize the emission of air contaminants in excess of those allowed by the Health and Safety Code of the State of California or the Regulations of the Mendocino County Air Quality Management District. This permit can not be considered permission to violate existing laws, ordinances, regulations or statutes of other governmental agencies.

*Barbara Moed*

January 28, 2020

Barbara Moed  
Air Pollution Control Officer

Date

**North American Organics**

**Permit Description:** 85 Hp, Tier 3 Diesel IC Engine / Wood Waste Grinder

**Permit Number:** 2715-5-27-19-26

**Location of Equipment:**

---

**Process #:** P4      **Process Description:** Wood Waste Grinder

---

**Equipment #:** E04      **Equipment Type:** Source  
**Description:** 85 Hp Wood Waste Grinder

**Other Information:**

<b>Make:</b>	Royer Industries	<b>IC Engine Year:</b>	2019
<b>Model:</b>	365	<b>IC Engine Tier:</b>	
<b>Serial #:</b>	REC365-0919-613	<b>Fuel Type:</b>	Diesel

---

**Process #:** P5      **Process Description:** 85 Hp Diesel IC Engine

---

**Equipment #:** E05      **Equipment Type:** Source  
**Description:** Diesel IC Engine

**Other Information:**

<b>Make:</b>	Kubota	<b>IC Engine Year:</b>	2018
<b>Model:</b>	V3600-T-E3B	<b>IC Engine Tier:</b>	3
<b>Serial #:</b>	2JQ3735	<b>Fuel Type:</b>	Diesel

**I. AUTHORITY TO CONSTRUCT EXPIRATION**

- A. This Authority to Construct shall expire September 26, 2020.
- B. This Authority to Construct may be renewed September 25, 2020 in accordance with Regulation 1, Rule 1-300(f).

**II. LOCATION**

This Authority to Construct is valid only for the location specified on Page 1 and is not transferable to another location, unless authorization for various locations is stated in the permit.

**III. FACILITY OPERATIONS**

All equipment and/or systems installed or used to achieve compliance with the terms and conditions of this Authority to Construct shall be maintained in good working order and be operated as efficiently as possible to minimize air pollutant emissions.

**IV. UPSETS AND BREAKDOWNS**

The Permit Holder shall notify the District by telephone within one hour of any failure of air pollution control equipment, process equipment, or of any abnormal operation which results in an increase in emissions above the allowable emission limits stated in Section XX (B), Emissions Limits of these conditions. The Permit Holder shall report upsets and breakdowns to the District in accordance with Regulation 1, Rule 1-540 of the Mendocino County Air Quality Management District.

**V. RIGHT OF ENTRY**

The Permit Holder shall allow the Air Pollution Control Officer, the Executive Officer of the California Air Resources Board, the Regional Administrator of EPA, and/or their authorized representatives, upon presentation of credentials, to do any of the following:

- A. To enter the premises where the facility, process, and/or equipment is located or at which any records are required to be kept under the terms and conditions of this Authority to Construct; and
- B. To have access to and copy any records necessary for the determination of emissions of air pollutants or any records required to be kept under the terms and conditions of this Authority to Construct; and
- C. To inspect any facility, process, and/or equipment subject to this Authority to Construct; and
- D. To sample emissions from the any facility, process, and/or equipment subject to this Authority to Construct.

**VI. TRANSFER OF OWNERSHIP**

This Authority to Construct is not transferable. In the event of any change in control or ownership of the facility, processes, and/or equipment operated pursuant to this Authority to Construct, the Authority to Construct shall be deemed null and void. The Permit Holder shall notify the succeeding owner/operator of the existence of this Authority to Construct and its conditions. The new owner/operator shall be responsible for re-issuance of this Authority to Construct in his name, and obtaining all required operating and historical records from the previous owner.

**VII. SEVERABILITY**

The conditions of this Authority to Construct are severable and, if any condition of this Authority to Construct is held invalid the remainder of this Authority to Construct shall not be affected thereby.

**VIII. APPLICABLE LAWS AND REGULATIONS**

The Permit Holder shall construct and operate the proposed the facility, processes, and/or equipment in compliance with all applicable provisions of the Mendocino County Air Quality Management District regulations and all applicable local, State and Federal laws and regulations.

**IX. PROJECT MODIFICATIONS**

This Authority to Construct is valid only for the project, processes, and/or equipment as stated in the application for Authority to Construct. Any additions, changes or modifications to the project, processes, and/or equipment or any other changes having an actual or potential impact upon air quality relative to this project shall be initiated only after consultation with, and approval from, the District.

**X. ACCEPTANCE**

Commencing construction under this Authority to Construct shall be deemed as acceptance of all conditions specified herein.

**XI. POST-CONSTRUCTION INSPECTION**

The Permit Holder shall notify the District in writing of completion of project construction and installation prior to production or startup to allow the District the opportunity to conduct a post-construction inspection. The Permit Holder shall not commence production or operation until completion of the post-construction inspection and/or approval from the District.

**XII. VIOLATIONS**

Violation of any of the terms and conditions of this Authority to Construct shall be deemed grounds for immediate suspension or revocation of the Permit, and shall be considered a violation of the Rules and Regulations of the Mendocino County Air Quality Management District and/or State or Federal law.

**XIII. EMISSIONS TESTING**

If at any time the District requires that testing be conducted or samples of the emissions be taken, such testing and/or sampling will be the responsibility of the Permit Holder. The District shall have approval authority regarding testing protocol and source testing operator.

**XIV. INDEMNIFICATION / HOLD HARMLESS**

The Permit Holder / Applicant agrees to defend, indemnify, release and hold harmless the County of Mendocino (County), its agents, officers, attorneys, employees, boards and commissions, the Mendocino County Air Quality Management District (District), its agents, officers, attorneys, employees, boards and commissions including the Mendocino County Air Quality Management District Hearing Board (Hearing Board) from any claim, action or proceeding brought by a third party against any of the foregoing individuals or entities, the purpose of which is to attack, set aside, void or annul the approval of this Authority to Construct or Permit to Operate, including but not limited challenges to the validity of the permit's associated environmental review. Additionally the Permit Holder / Applicant agrees to indemnify the District, County and Hearing Board according to this Section the Permit Holder / Applicant brings any court action in which the County, District, or Board are the prevailing party.

The indemnification shall include, but not be limited to, damage, costs, expenses, attorney fees or expert witness fees that are charged to the District as a result of any actions, proceedings or claims asserted that are related to, 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, the District, its agents, officers, attorneys, employees, boards and commissions including the Hearing Board.

In the event that a claim, action or proceeding is brought against the County or the District, it shall promptly notify the Permit Holder / Applicant of the existence of the claim, action or proceeding and will cooperate fully in the defense of such claim, action or proceeding. Nothing set forth in this section shall prohibit the County or the District from participating in the defense of any claim, action or proceeding if the County or the District elects to bear its own attorney fees and costs and defends the action in good faith.

**XV. PERMIT SUSPENSION**

This Authority to Construct shall become invalid upon suspension for cause by the Air Pollution Control Officer, or upon revocation by the Mendocino County Air Quality Management District Hearing Board or any court as set forth in the regulations of the District or in state law. Continued operation of the facility, process, and/or equipment described in this Authority to Construct after suspension or revocation is a violation of Regulation 1, Rule 1-240(a) of the Mendocino County Air Quality Management District, and is subject to enforcement action in accordance with Health and Safety Code, Section 42400 et seq.

**XVI. PERMIT POSTING**

The Permit Holder shall post this Authority to Construct prominently on or near the facility, process, and/or equipment to which the permit applies.

**XVII. OPERATOR TRAINING**

The Permit Holder shall ensure that all operators are properly trained in the operation of the processes and/or equipment described in this Authority to Construct and are familiar with all conditions contained herein.

**XVIII. RESPONSIBLE OFFICER**

The Permit Holder shall appoint and designate by name, a responsible officer. The Responsible Officer shall have the responsibility and requisite authority to ensure that facility operations are in compliance with District regulations at all times. The Permit Holder shall provide the name of the person appointed as the Responsible Officer including all contact information in writing within 30 days of receipt of this permit and/or any change of appointment.

**XIX. PUBLIC NUISANCE**

The Permit Holder shall conduct all facility activities in such a way as to avoid causing a public nuisance as required by California Health and Safety Code, Section 41700 and District Regulation 1, Rule 1-400(a) - Public Nuisance. Verified complaints received by the District from three (3) or more distinct individuals in any 24-hour period may be considered a violation of California Health and Safety Code, Section 41700 and District Regulation 1, Rule 1-400(a).

**XX. SPECIAL CONDITIONS – WOODWASTE PROCESSING EQUIPMENT POWERED BY STATIONARY DIESEL IC ENGINE TIER 3**

**A. Air Pollution Control Requirements**

1. The Permit Holder shall install, continuously maintain, and operate a water spray system sufficient to prevent fugitive dust emissions from the Wood Waste Grinding and/or Screening Equipment from exceeding the limits set in Special Condition XX (C)(1), Emissions Limits.
2. The Permit Holder shall install and operate any other dust control equipment as may be required to meet the emission limitations specified in Special Conditions XX (C)(1), Emissions Limits.

**B. Emissions Limits**

1. Emissions of particulate matter from the operations of the permitted equipment shall not obscure an observer's view to a degree greater than twenty percent (20%) opacity for any period or periods aggregating more than three (3) minutes in any one-hour.

**C. Compliance Requirements**

1. The Permit Holder shall maintain good housekeeping by promptly removing uncontained sawdust, wood shavings or other particulate matter to minimize fugitive dust emissions.

2. Emissions of fugitive particulate matter greater than twenty (20%) opacity from any emissions source for more than 3 minutes shall constitute a breakdown.
3. The Permit Holder shall report the breakdown to the District in accordance with Section IV, Upsets and Breakdowns of these conditions.
4. The Permit Holder shall comply with all applicable requirements of Title 17, California Code of Regulations, Section 93116 et. seq., "Airborne Toxic Control Measure for Portable Compression Ignition Engines" (Diesel Internal Combustion Engines).
5. The Permit Holder shall equip the Tier 3 diesel IC engine with level-3 technology or replace the engine with a certified Tier 4 engine no later than January 1, 2020 in accordance with Title 17, California Code of Regulations, Section 93115.11 (b).5. The IC engine shall be equipped with a non-resettable "hours of operation" totalizer.
6. The Permit Holder shall submit an application to the District prior to installation of any retro-fit device or replacement of the IC engine.

**D. Notification Requirements**

1. The Permit Holder shall notify the District prior to operating any Diesel IC engines or other emitting equipment not listed in this Permit to Operate.

**E. Operating Requirements – Diesel IC Engine**

1. The IC engine shall be equipped with a non-resettable "hours of operation" totalizer.

**F. Fugitive Dust Mitigation Measures**

1. The Permit Holder shall operate the facility, equipment, and all supporting activities as efficiently as possible to minimize fugitive emissions and ensure compliance with Mendocino County Air Quality Management District Regulation 1, Rule 1-430 (Fugitive Dust Emissions). This requirement shall include but not be limited to:
  - (a) Covering open bodied trucks when used for transporting.
  - (b) Watering all visibly dry disturbed-soil, road surfaces and stockpiles.
  - (c) Promptly removing earth or other material that has been transported by trucking or earth moving equipment, erosion by water, or other means onto paved streets.
  - (d) Ceasing all activities when sustained winds exceed the Permit Holders ability to control fugitive dust.
  - (e) Posting the speed limit of 10 miles per hour on all unpaved surfaces.
  - (f) Taking reasonable precautions to prevent the entry of unauthorized vehicles onto the site during non-work hours.



**G. Annual Record Keeping and Reporting Requirements**

1. The Permit Holder shall maintain records of operations for the facility, equipment, and / or processes covered in this Permit to Operate, including:
  - (a) the hours of operation,
  - (b) the days of operation,
  - (c) the tons of material processed,
  - (d) the hours of operation of the diesel IC engine, and
  - (e) the quantity of the fuel purchased for the diesel IC engine.
2. The records shall be maintained for a period of not less than two (2) years.
3. The Permit Holder shall make these records available upon request to the Air Pollution Control Officer, the Executive Officer of the Air Resources Board, and the Regional Administrator of the United States Environmental Protection Agency or their designated representatives.
4. Not later than February 28, of each year, the Permit Holder shall provide the Air Pollution Control Officer with a certified summary of operations for the previous calendar year. This summary shall include:
  - (a) the total hours of operation,
  - (b) the total days of operation,
  - (c) the total tons of material processed,
  - (d) the total hours of operation of the diesel IC engine,
  - (e) the quantity of the fuel purchased for the diesel IC engine, and
  - (f) the end of year hour meter reading.

A responsible officer of the Permit Holder shall certify the truth and accuracy of this summary. The District shall provide the form for this summary in December of each year.

DISPLAY CONSPICUOUSLY AT PLACE OF BUSINESS FOR WHICH ISSUED

CALIFORNIA DEPARTMENT OF TAX AND FEE ADMINISTRATION

SELLER'S PERMIT

November 15, 2018

ACCOUNT NUMBER

235239424 - 00001

NORTH AMERICAN ORGANICS LLC  
NORTH AMERICAN ORGANICS  
1790 HELD RD  
REDWOOD VALLEY CA 95470-6176



Office of Control:  
Santa Rosa Office

**NOTICE TO PERMITTEE:**  
You are required to obey all  
Federal and State laws that  
regulate or control your  
business. This permit does  
not allow you to do  
otherwise

IS HEREBY AUTHORIZED PURSUANT TO SALES AND USE TAX LAW TO BE IN THE BUSINESS OF SELLING TANGIBLE  
PERSONAL PROPERTY AT THE ABOVE LOCATION. THIS PERMIT IS VALID AT THE ABOVE ADDRESS

THIS PERMIT IS VALID UNTIL REVOKED OR CANCELLED AND IS NOT TRANSFERABLE. IF YOU SELL YOUR BUSINESS OR DROP OUT  
OF A PARTNERSHIP, NOTIFY US OR YOU COULD BE RESPONSIBLE FOR SALES AND USE TAXES OWED BY THE NEW OPERATOR  
OF THE BUSINESS

*Not valid at any other address*

For general tax questions, please call our Customer Service Center at 1-800-400-7115 (TTY:711).  
For information on your rights, contact the Taxpayers' Rights Advocate Office at 1-888-324-2798 or 1-916-324-2798.

## REAL PROPERTY LEASE AGREEMENT

This Real Property Lease Agreement ("**Lease**") is made effective as of November 1, 2018, by and between KATHY LOWE and DAVE LOWE, husband and wife ("**Lessors**"), and SCOTT JOHNSON and SHANNON JOHNSON, husband and wife ("**Lessees**"), on the other hand, referred to collectively herein as the parties, as follows.

### BACKGROUND FACTS

A. Lessors own and operate (i) a compost business known as North American Organics (the "**Business**") on Held Road in Redwood Valley, California, and (ii) the real property ("**Property**") on which the Business operates.

B. Buyers are purchasing the Business from Sellers. The parties also agree that Buyers shall lease the Property from Sellers on the terms and conditions stated herein.

**NOW, THEREFORE**, in consideration of the mutual covenants, agreements, representations and warranties contained in this Lease, the parties agree as follows:

1. Property. Lessors hereby lease to Lessees, and Lessees hereby lease from Lessors, the real property on which the Business is and historically has been operated ("**Property**"), and all improvements on the Property. The Property consists of an approximately 4 acre subset s) of the legal parcel designated as Mendocino County Assessor Parcel Number 161-120-2500, which is commonly known as 1790 Held Road, Redwood Valley. The Property is depicted on the aerial photograph attached hereto as Exhibit A.

Lessees shall have access to the Property in the same manner in which Lessors have historically accessed the Property for the Business.

2. Term. The term ("**Term**") of this Lease shall be for four (4) years, beginning on January 1, 2019, and ending on December 31, 2022, unless extended or terminated prior to such expiration.

# Redacted

4. Use. Lessee shall use and occupy the Property to operate the Business and for no other purpose. Lessee may use and occupy the Property or a portion thereof for any other purpose to which both Lessors give their advance, written consent, which consent may be withheld in either Lessor's sole and unfettered discretion.

5. Compliance with Laws. Lessees agree to promptly comply with all applicable laws, statutes, ordinances, rules, regulations, orders and requirements in effect during the Term or any part of the Term regulating Lessees' use of the Property (including the requirement of having a valid use permit), or regulating any repairs, alterations or installations made to the Property by Lessees during the Term. Lessees shall not use or permit the use of the Property in any manner that will constitute waste or tend to create a nuisance or to create any hazardous condition, other than those conditions normally associated with the effective and normal operation of Lessees' Business. Any repairs, alterations or installations made to the Property by Lessees during the Term shall be performed in a manner that complies with all applicable laws, including building and safety codes. Lessees's violation of this Section 5 shall constitute a material breach of this Lease.

# Redacted

# Redacted

# Redacted

# Redacted

Redacted



# Redacted

Redacted

IN WITNESS WHEREOF, the parties to this Lease have duly executed it on the dates written below, effective as of ~~November~~ <sup>Dec</sup> 31, 2018.

Dated: 12/31/18, 2018   
KATHY LOWE

Dated: 12/31/18, 2018   
DAVE LOWE

Dated: 12/31/18, 2018   
SCOTT JOHNSON

Dated: 12/31/18, 2018   
SHANNON JOHNSON

EXHIBIT A

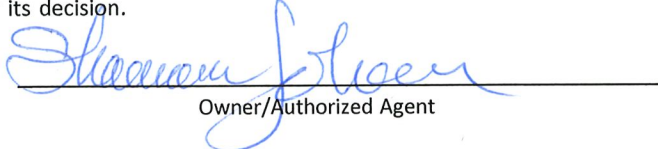
Aerial Photo Depicting Property





## CERTIFICATION AND SITE VIEW AUTHORIZATION

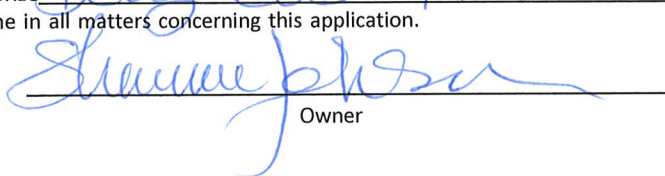
1. I hereby certify that I have read this completed application and that, to the best of my knowledge, the information in this application, and all attached appendices and exhibits, is complete and correct. I understand that the failure to provide any requested information or any misstatements submitted 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.

 \_\_\_\_\_ 2/20/21  
 Owner/Authorized Agent Date

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

AUTHORIZATION OF AGENT

I hereby authorize Doug Losak \_\_\_\_\_ to act as my representative and to bind me in all matters concerning this application.

 \_\_\_\_\_ 2/20/21  
 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.

<b>Name</b>	<b>Name</b>	<b>Name</b>
<b>Mailing Address</b>	<b>Mailing Address</b>	<b>Mailing Address</b>

COMPLETE FOR PROJECTS  
LOCATED IN THE COASTAL  
ZONE ONLY

### DECLARATION OF POSTING

At the time the application is submitted for filing, the applicant must **Post**, at a conspicuous place, easily read by the public and as close as possible to the site of the proposed development, notice that an application for the proposed development has been submitted. Such notice shall contain a general description of the nature of the proposed development and shall be on the standard form provided in the application packet. If the applicant fails to post the completed notice form and sign the **Declaration of Posting**, the Department of Planning and Building Services cannot process the application.

As **Proof of Posting**, please sign and date this Declaration of Posting form when the site is posted; it serves as proof of posting. It should be returned to the Department of Planning and Building Services with the application.

Pursuant to the requirements of Section 20.532.025(H) of the Mendocino County Code, I hereby certify that on \_\_\_\_\_  
(date of posting), I or my authorized representative posted the "NOTICE OF PENDING  
PERMIT" for application to obtain a Coastal Development Permit for the development of:

\_\_\_\_\_  
\_\_\_\_\_  
(Description of development)

Located at:

\_\_\_\_\_  
\_\_\_\_\_  
(Address of development and Assessor's Parcel Number)

The public notice was posted at:

\_\_\_\_\_  
\_\_\_\_\_  
(A conspicuous place, easily seen by the public and as close as possible to the site of proposed development)

\_\_\_\_\_  
Owner/Authorized Representative

\_\_\_\_\_  
Date

(A copy of the notice which was posted shall be attached to this form).

**NOTE:** YOUR APPLICATION CANNOT BE PROCESSED UNTIL THIS "DECLARATION OF POSTING" IS SIGNED AND RETURNED TO PLANNING AND BUILDING SERVICES.

COMPLETE FOR PROJECTS  
LOCATED IN THE COASTAL  
ZONE ONLY

## NOTICE OF PENDING PERMIT

A COASTAL PERMIT APPLICATION FOR DEVELOPMENT ON THIS SITE IS PENDING BEFORE THE COUNTY OF MENDOCINO.

PROPOSED DEVELOPMENT: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

LOCATION: \_\_\_\_\_  
\_\_\_\_\_

APPLICANT: \_\_\_\_\_  
\_\_\_\_\_

ASSESSOR'S PARCEL NUMBER: \_\_\_\_\_  
\_\_\_\_\_

DATE NOTICE POSTED: \_\_\_\_\_

**FURTHER INFORMATION IS AVAILABLE AT:**

COUNTY OF MENDOCINO  
DEPARTMENT OF PLANNING & BUILDING SERVICES  
[pbs@mendocinocounty.org](mailto:pbs@mendocinocounty.org)  
860 North Bush Street, Ukiah, CA 95482, 707-234-6650  
120 West Fir Street, Fort Bragg, CA 95437, 707-964-5379  
HOURS: 8:00 - 5:00



## 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.

2/26/21  
Date

Stewart  
Applicant



ACKNOWLEDGMENT OF DEPOSIT/HOURLY FEE

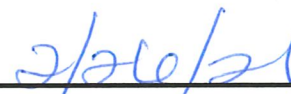
By signing below, the applicant acknowledges that the staff at Planning and Building Services has discussed the potential for collection of a deposit fee for the projects listed below (as adopted by the Board of Supervisors in Resolution No.'s 11-072, 16-150, 18-122 and 19-170):

1. Division of Land Project
2. General Plan Project
3. Coastal Project
4. Zoning Project
5. Administrative Project
6. Cannabis Project
7. Private Road Naming

Once an application has been submitted and the processing costs approach 80% of the application fee, additional staff processing time will be billed at \$90.00/hour. Staff will notify the applicant/owner that a deposit equal to 50% of the initial filing fee is required for further processing, and more than one deposit may be required depending on the complexity of the project and the staff time necessary to complete application processing.

*I acknowledge that I was advised of the deposit fee for continued processing after the initial application fee has been expended*

  
 \_\_\_\_\_  
 Applicant Signature

  
 \_\_\_\_\_  
 Date

**OFFICE USE ONLY:**

\_\_\_\_\_  
 Project or Permit Number

# FINDINGS FOR VARIANCES OUTSIDE THE COASTAL ZONE

MENDOCINO COUNTY CODE SECTIONS 20.200.020(a) THROUGH (e)

Please provide information to substantiate the required findings. **All** of the five findings must be substantiated by adequate and accurate information. Attach additional information if necessary.

- (A) That there are special circumstances applicable to the property involved, including size, shape, topography, location or surrounding;

---

---

---

---

- (B) That such special circumstances or conditions are not due to any action of the applicant subsequent to the application of the zoning regulations contained in the Division;

---

---

---

---

- (C) That such variance is necessary for the preservation and enjoyment of substantial property right possessed by other property in the same vicinity and zone and denied to the property in question;

---

---

---

---

- (D) That the granting of such variance will not be materially detrimental to the public welfare or injurious to the property or improvements in such vicinity and zone in which the property is located;

---

---

---

---

- (E) That the granting of such variance will not adversely affect the General Plan.

---

---

---

---

# FINDINGS FOR VARIANCES WITHIN THE COASTAL ZONE

EXCLUDING THE TOWN OF MENDOCINO  
MENDOCINO COUNTY CODE SECTIONS 20.540.020(a) THROUGH (f)

Please provide information to substantiate the required findings. **All** of the five findings must be substantiated by adequate and accurate information. Attach additional information if necessary.

- (A) That there are special circumstances applicable to the property involved, including size, shape, topography, location or surrounding;

---

---

---

---

- (B) That such special circumstances or conditions are not due to any action of the applicant subsequent to the application of the zoning regulations contained in this Division and applicable policies of the Coastal Element, and;

---

---

---

---

- (C) That such variance is necessary for the preservation and enjoyment of privileges possessed by other property in the same vicinity and zone and denied to the property in question because of the special circumstances identified in subsection (A), and;

---

---

---

---

- (D) That the granting of such variance will not be materially detrimental to the public welfare or injurious to the property or improvements in such vicinity and zone in which the property is located, and;

---

---

---

---

- (E) That the variance does not authorize a use or activity that is not otherwise expressly authorized by the zoning provisions governing the parcel, and;

---

---

---

---

(F) That the granting of such variance is in conformity with all other provisions of this Division and the Mendocino Coastal Element and applicable plans and policies of the Coastal Act.

---

---

---

---

# FINDING FOR VARIANCES WITHIN THE TOWN OF MENDOCINO

MENDOCINO COUNTY CODE SECTIONS 20.724.020(a) THROUGH (f)

Please provide information to substantiate the required findings. **All** of the five findings must be substantiated by adequate and accurate information. Attach additional information if necessary.

- (A) That there are special circumstances applicable to the property involved, including size, shape, topography, location or surrounding;

---

---

---

---

- (B) That such special circumstances or conditions are not due to any action of the applicant subsequent to the application of the zoning regulations contained in this Division and applicable policies of the Coastal Element, and;

---

---

---

---

- (C) That such variance is necessary for the preservation and enjoyment of privileges possessed by other property in the same vicinity and zone and denied to the property in question because of the special circumstances identified in subsection (A), and;

---

---

---

---

- (D) That the granting of such variance will not be materially detrimental to the public welfare or injurious to the property or improvements in such vicinity and zone in which the property is located, and;

---

---

---

---

- (E) That the variance does not authorize a use or activity that is not otherwise expressly authorized by the zoning provisions governing the parcel, and;

---

---

---

---

(F) That the granting of such variance is in conformity with all other provisions of this Division and the Mendocino Town Plan and applicable plans and policies of the Coastal Act.

---

---

---

---

**LAW OFFICE OF DUNCAN M. JAMES**

DUNCAN M. JAMES  
DONALD J. McMULLEN  
K. J. FLAVETTA  
DOUGLAS L. LOSAK

LAMBS INN  
P. O. BOX 1381  
445 NORTH STATE STREET  
UKIAH, CALIFORNIA 95482  
(707) 468-9271

FAX (707) 468-0453  
lawoffice@duncanjames.com

March 11, 2021

County of Mendocino Planning Department  
ATTN: PBS/Susan Summerford  
860 N Bush Street  
Ukiah, CA 95482

Re: *Use Permit Application - North American Organics (Johnson)*  
*Project #: EST\_2021-0048*

Dear Clerk:

Enclosed is a check in the amount of \$6,892.00 for the application of a major use permit in the above referenced matter. If you have any questions please call me.

Thank you,



Nicky Lopez  
Assistant to Law Office of Duncan M. James

/nrl  
Encl.





# 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: North American Organics LLC**  
 PO Box 70

**UM\_2021-0003**

REDWOOD VALLEY CA 95470

**Receipt: PRJ\_040487**

**Date: 3/19/2021**

**Project Number: UM\_2021-0003**

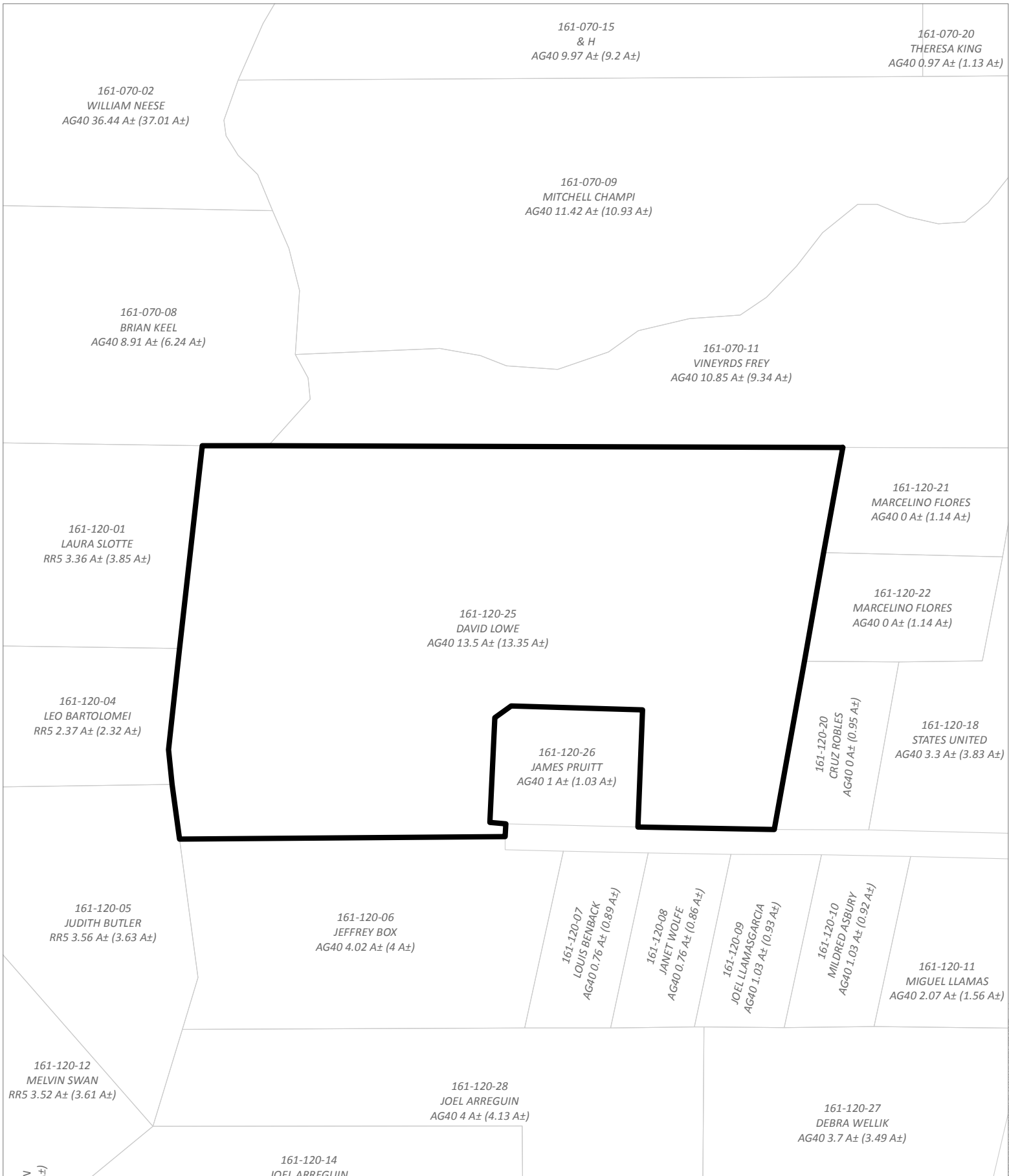
**Pay Method: CHECK 2474**

**Project Description: Use permit mod. North American Organics**

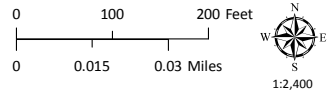
**Received By: MATT GOINES**

**Site Address: 1790 HELD RD**

<b>Fee Description</b>	<b>Account Number</b>	<b>Qty</b>	<b>Fee Amount</b>
<b>BASE FEES</b>	1100-2851-822605		\$4,830.00
UMAJ BASE			\$4,830.00
<b>DOT FEES</b>	1100-1910-826182		\$800.00
UMIN UMAJ SMARA DOT2C			\$800.00
<b>EH FEES</b>	1100-4011-822606		\$300.00
UMIN OR UMAJ EH			\$300.00
<b>ENVIRONMENTAL REVIEW</b>	1100-2851-826184		\$735.00
			\$735.00
<b>GENERAL PLAN</b>	1100-2851-826188		\$116.00
			\$116.00
<b>RECORDS MANAGEMENT</b>	1222-2852-826260		\$111.00
			\$111.00
<b>Total Fees Paid:</b>			<b>\$6,892.00</b>

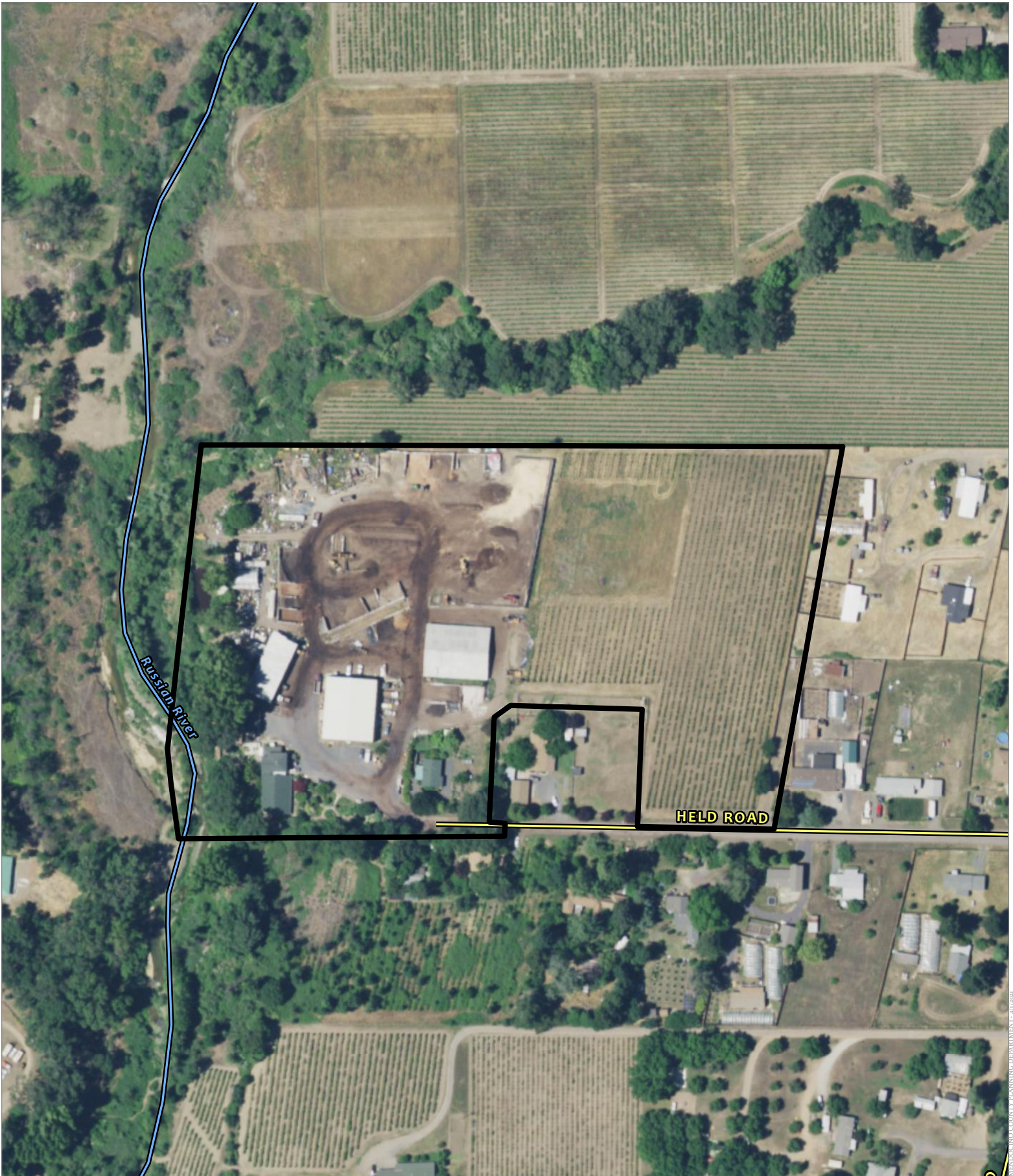


CASE: **UM 2021-0003**  
 OWNER: **LOWE, David & Kathryn**  
 APN: **161-120-25**  
 APLCT: **Shannon Johnson**  
 AGENT: **Douglas Losak**  
 ADDRESS: **1790 Held Road, Redwood Valley**





**ADJACENT PARCELS**

MENDOCINO COUNTY PLANNING DEPARTMENT - 4/17/2021



CASE: **UM 2021-0003**  
OWNER: **LOWE, David & Kathryn**  
APN: **161-120-25**  
APLCT: **Shannon Johnson**  
AGENT: **Douglas Losak**  
ADDRESS: **1790 Held Road, Redwood Valley**

-  Named Rivers
-  Public Roads

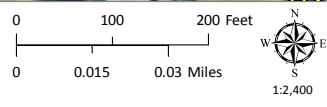


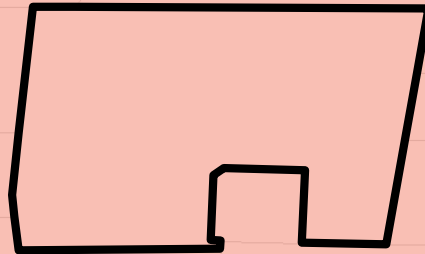
PHOTO COURTESY OF TOWNSHIPPING DEPARTMENT - 4/1/2021

# CONFIDENTIAL

DO NOT DISTRIBUTE




TOWNSEND'S  
BIG-EARED BAT

BAKER'S  
NAVARRETIA



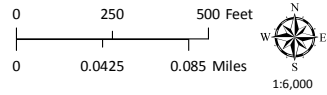
**CNDDDB 010221**

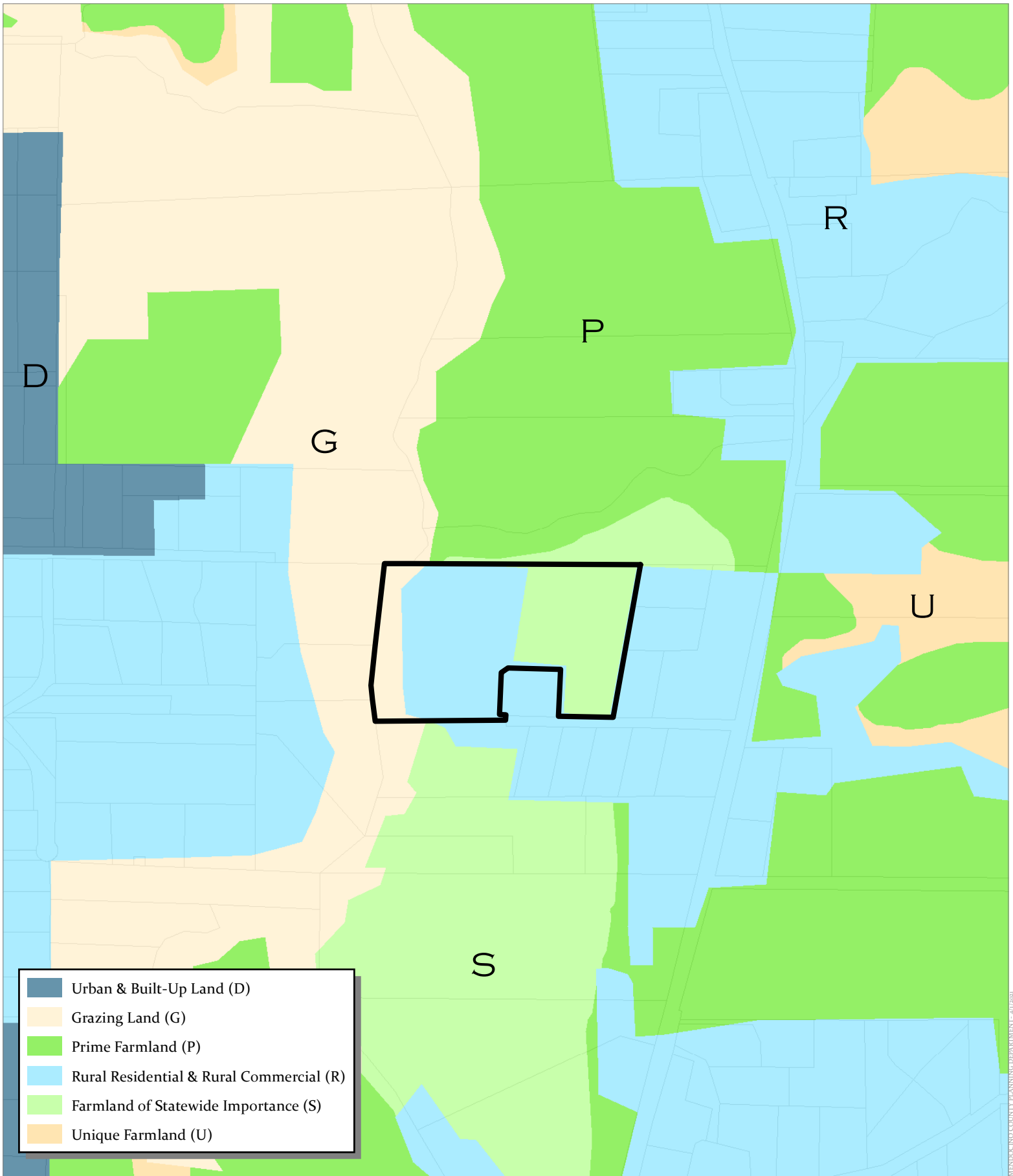
**Common Name**

-  Baker's navarretia
-  Townsend's big-eared bat
-  western pond turtle

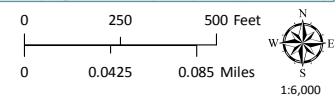
CNDDDB version 01/2021. Please note: The occurrences shown on this map represent the known locations of the species listed here as of the date of this version. There may be additional occurrences or additional species within this area which have not yet been surveyed and/or mapped. Lack of information in the CNDDDB about a species or an area can never be used as proof that no special status species occur in an area.

CASE: UM 2021-0003  
OWNER: LOWE, David & Kathryn  
APN: 161-120-25  
APLCT: Shannon Johnson  
AGENT: Douglas Losak  
ADDRESS: 1790 Held Road, Redwood Valley



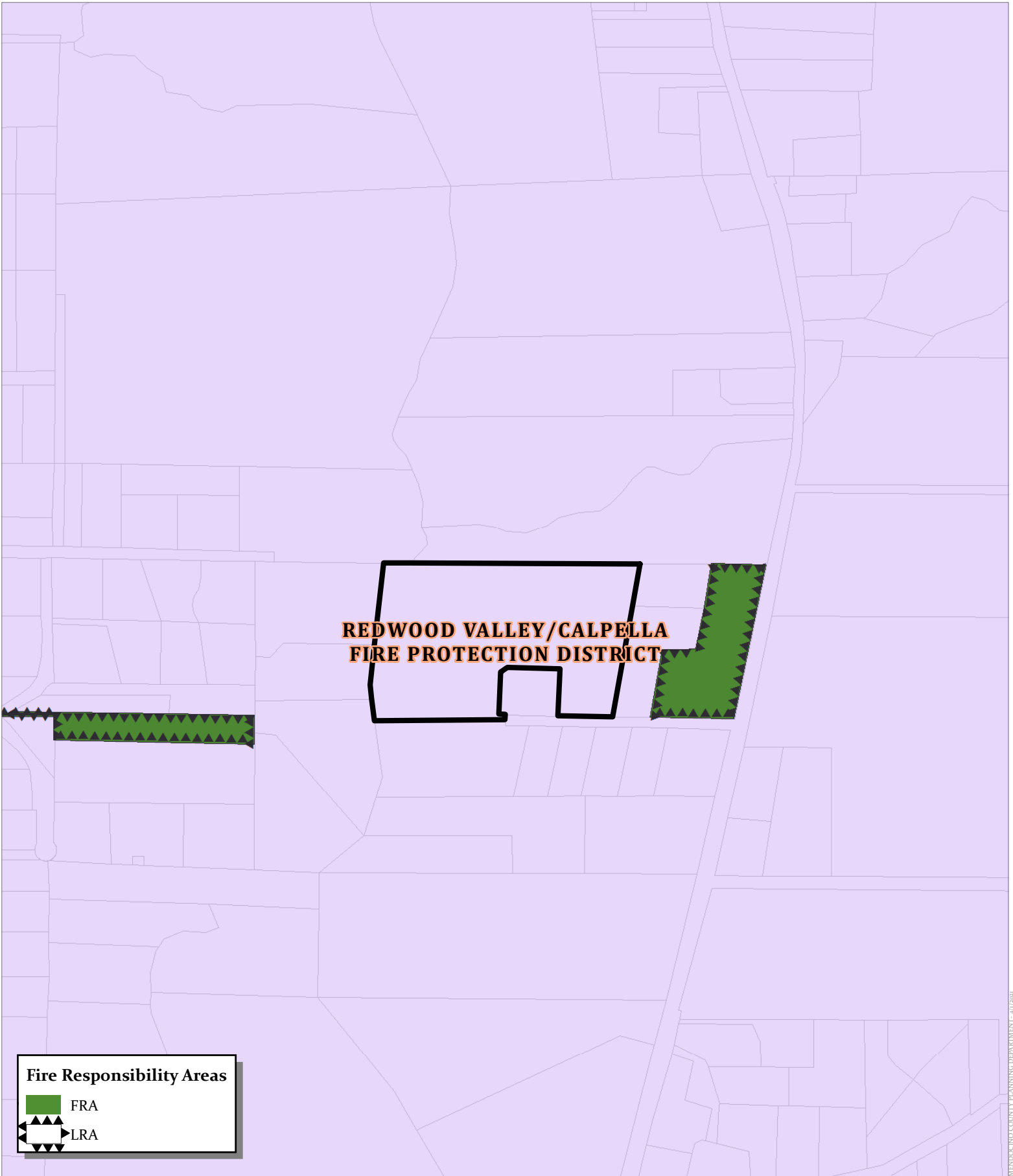


CASE: **UM 2021-0003**  
 OWNER: **LOWE, David & Kathryn**  
 APN: **161-120-25**  
 APLCT: **Shannon Johnson**  
 AGENT: **Douglas Losak**  
 ADDRESS: **1790 Held Road, Redwood Valley**





**FARMLAND CLASSIFICATIONS**

MENDOCINO COUNTY PLANNING DEPARTMENT - 4/12/2021






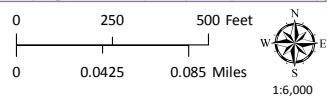
**REDWOOD VALLEY/CALPELLA  
FIRE PROTECTION DISTRICT**

**Fire Responsibility Areas**

-  FRA
-  LRA

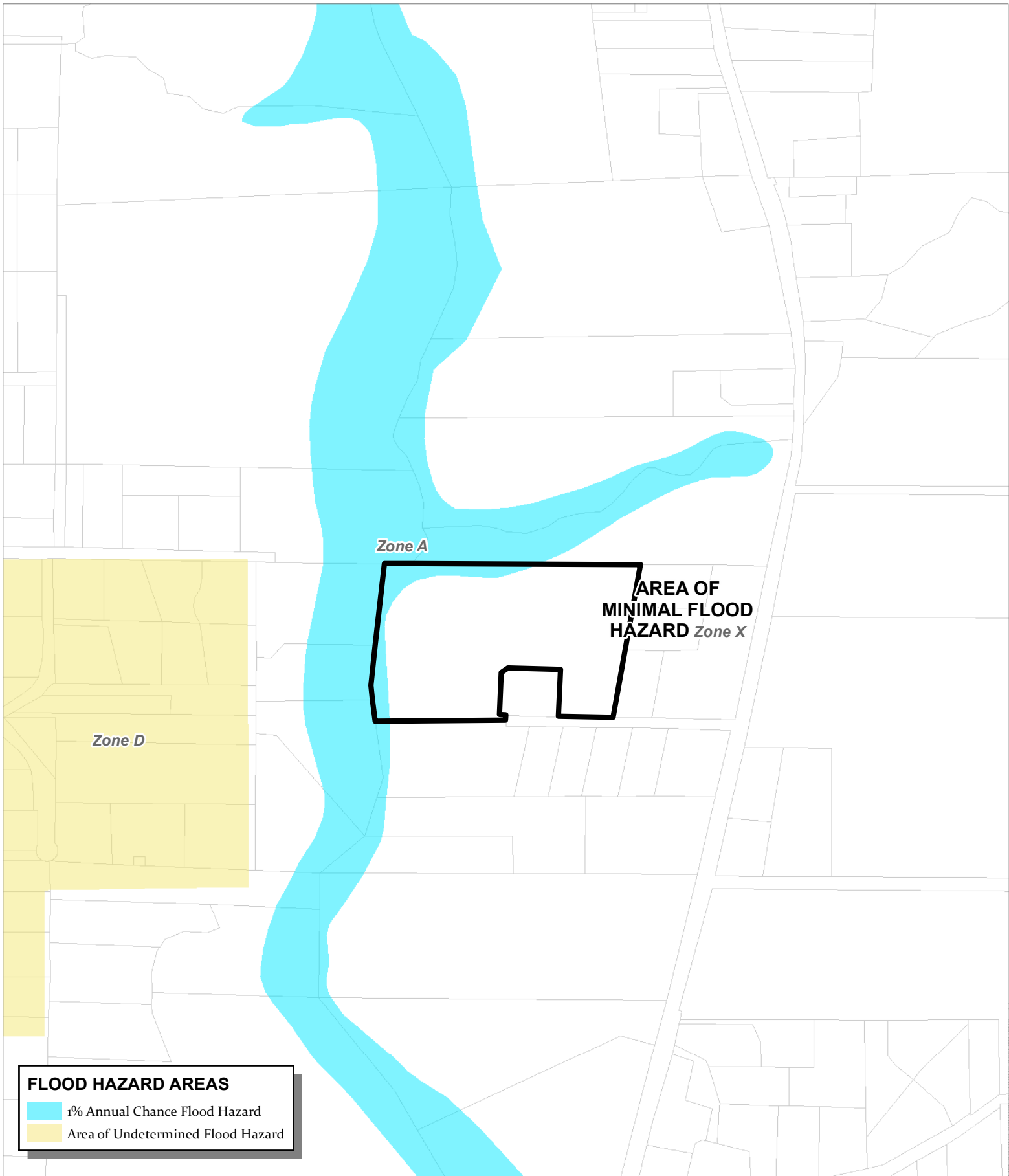
CASE: **UM 2021-0003**  
 OWNER: **LOWE, David & Kathryn**  
 APN: **161-120-25**  
 APLCT: **Shannon Johnson**  
 AGENT: **Douglas Losak**  
 ADDRESS: **1790 Held Road, Redwood Valley**

-  FRA
-  LRA
-  County Fire Districts



**FIRE HAZARD ZONES & RESPONSIBILITY AREAS**  
 STATE RESPONSIBILITY AREA

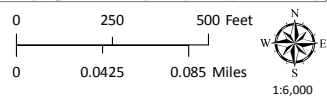
MENDOCINO COUNTY PLANNING DEPARTMENT - 4/1/2021



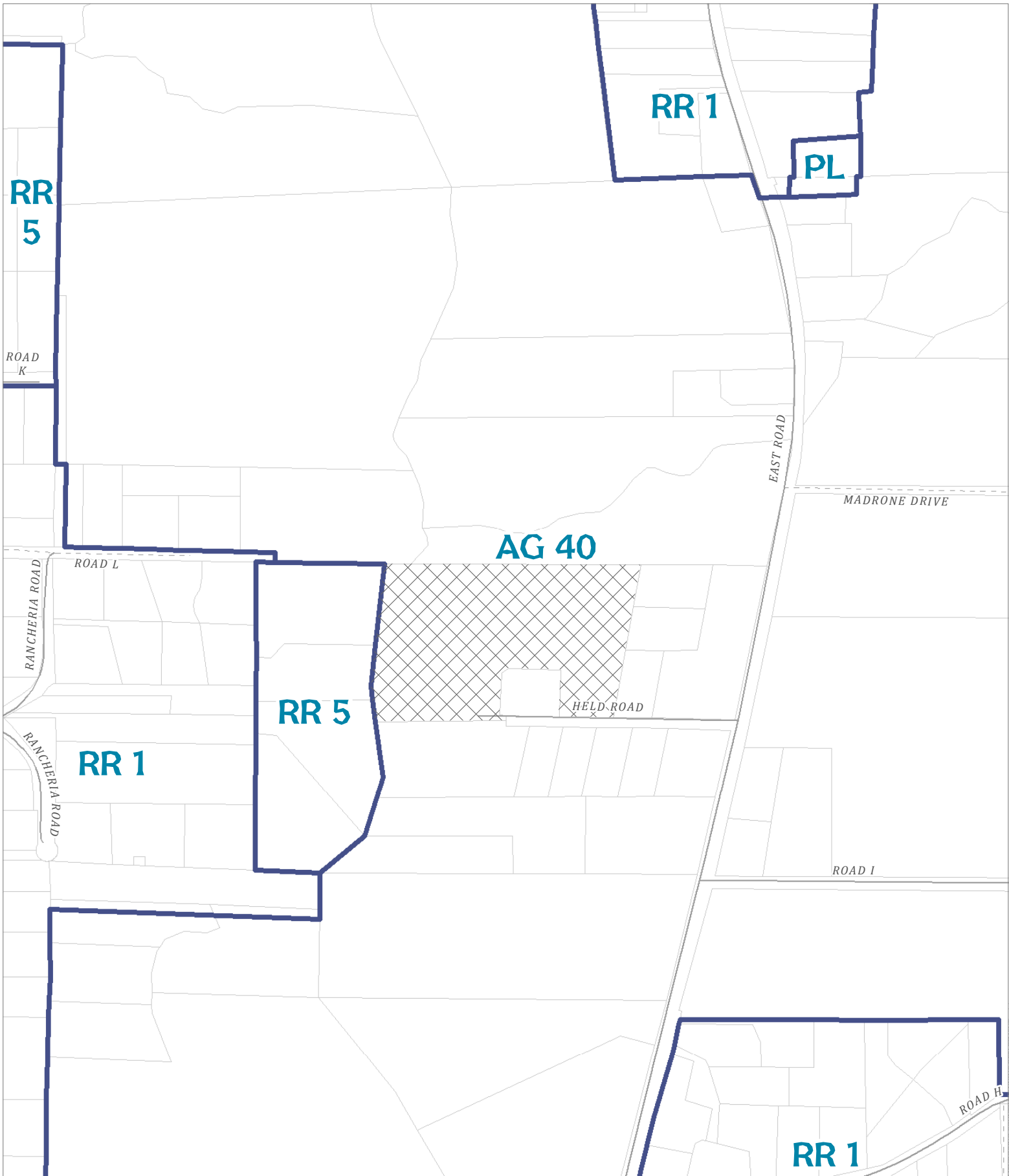
**FLOOD HAZARD AREAS**

- 1% Annual Chance Flood Hazard
- Area of Undetermined Flood Hazard



CASE: **UM 2021-0003**  
 OWNER: **LOWE, David & Kathryn**  
 APN: **161-120-25**  
 APLCT: **Shannon Johnson**  
 AGENT: **Douglas Losak**  
 ADDRESS: **1790 Held Road, Redwood Valley**

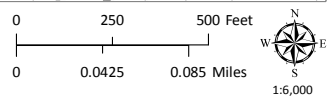


MENDOCINO COUNTY PLANNING DEPARTMENT - 4/1/2021



CASE: **UM 2021-0003**  
 OWNER: **LOWE, David & Kathryn**  
 APN: **161-120-25**  
 APLCT: **Shannon Johnson**  
 AGENT: **Douglas Losak**  
 ADDRESS: **1790 Held Road, Redwood Valley**

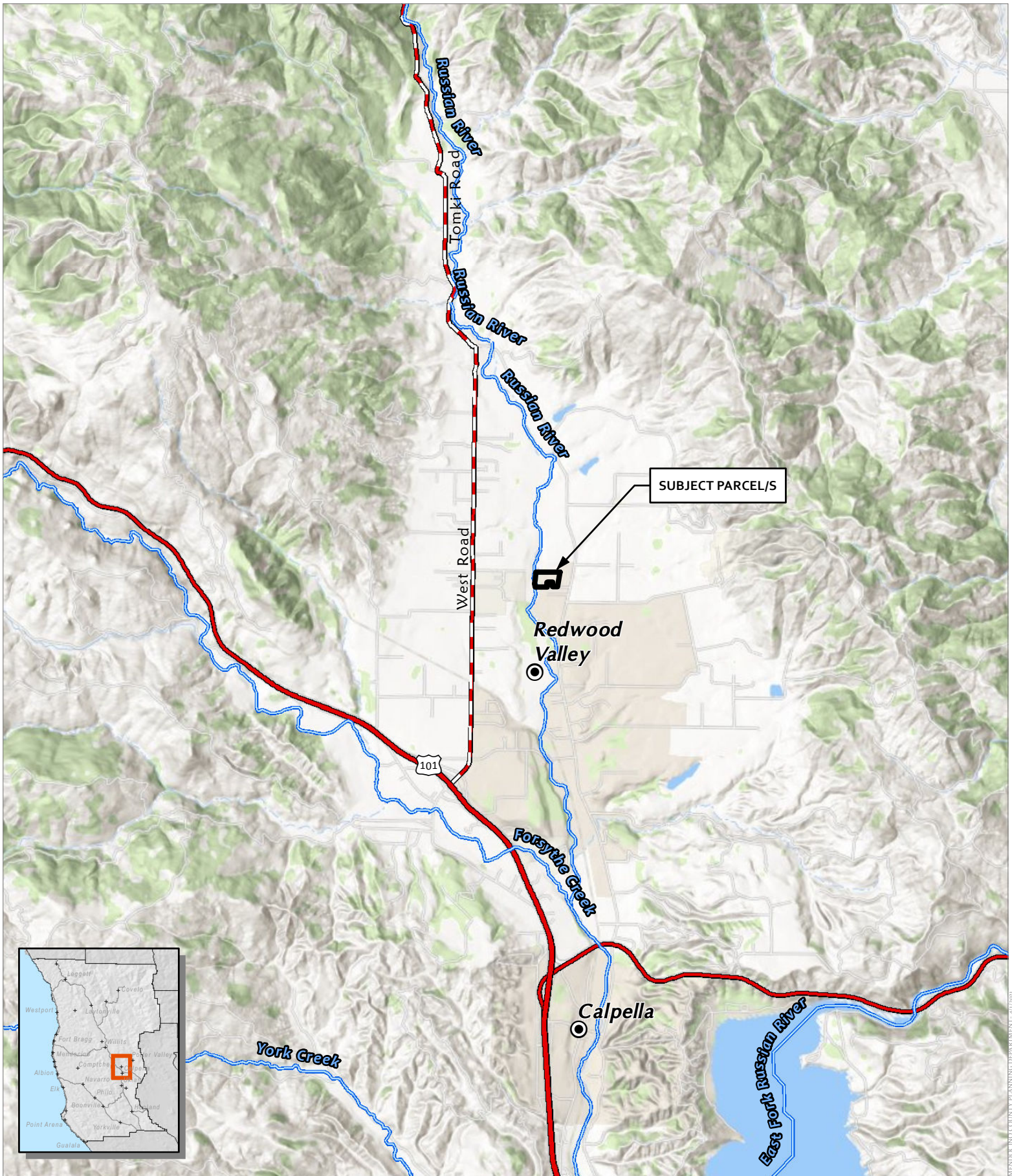
 **General Plan Classes**  
 **Public Roads**



**GENERAL PLAN CLASSIFICATIONS**

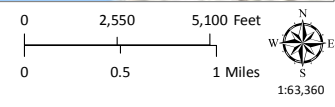
MENDOCINO COUNTY PLANNING DEPARTMENT - 4/1/2021





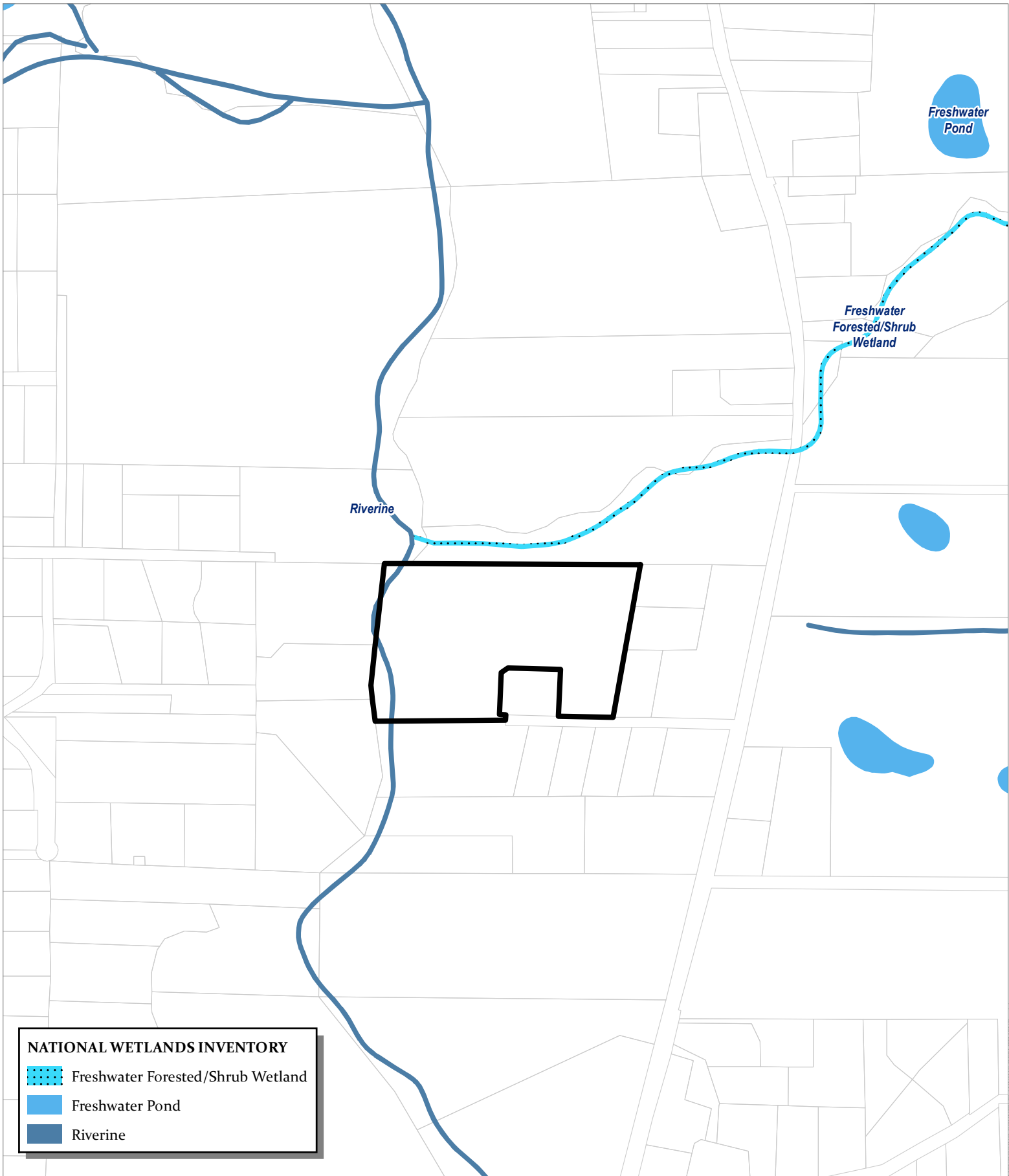
CASE: **UM 2021-0003**  
 OWNER: **LOWE, David & Kathryn**  
 APN: **161-120-25**  
 APLCT: **Shannon Johnson**  
 AGENT: **Douglas Losak**  
 ADDRESS: **1790 Held Road, Redwood Valley**

- Major Towns & Places
- Highways
- Major Roads






**LOCATION MAP**

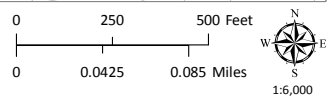
MENDOCINO COUNTY PLANNING DEPARTMENT - 4/17/2021



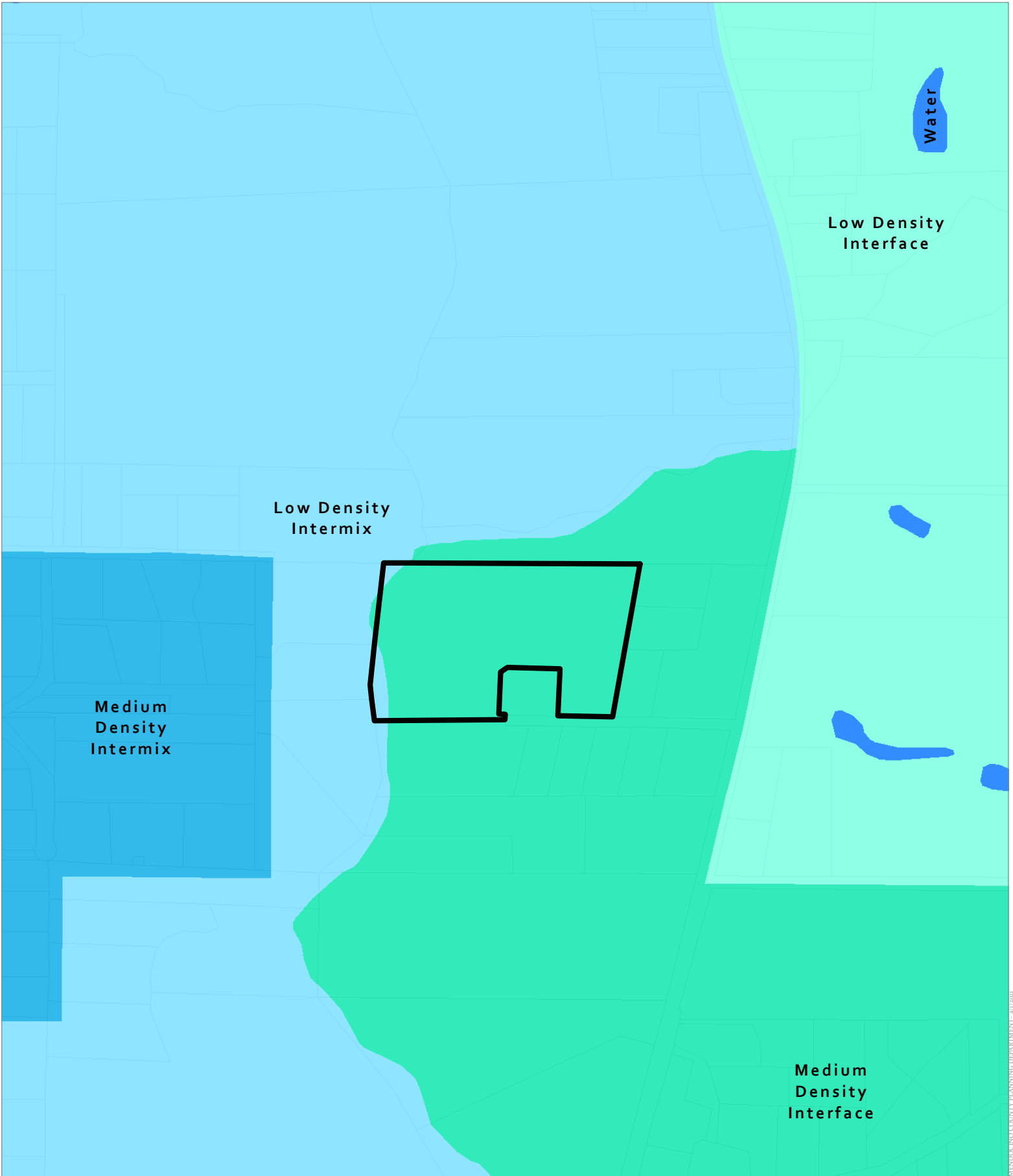
**NATIONAL WETLANDS INVENTORY**

-  Freshwater Forested/Shrub Wetland
-  Freshwater Pond
-  Riverine

CASE: **UM 2021-0003**  
 OWNER: **LOWE, David & Kathryn**  
 APN: **161-120-25**  
 APLCT: **Shannon Johnson**  
 AGENT: **Douglas Losak**  
 ADDRESS: **1790 Held Road, Redwood Valley**

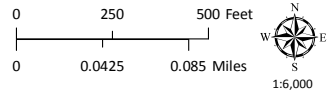


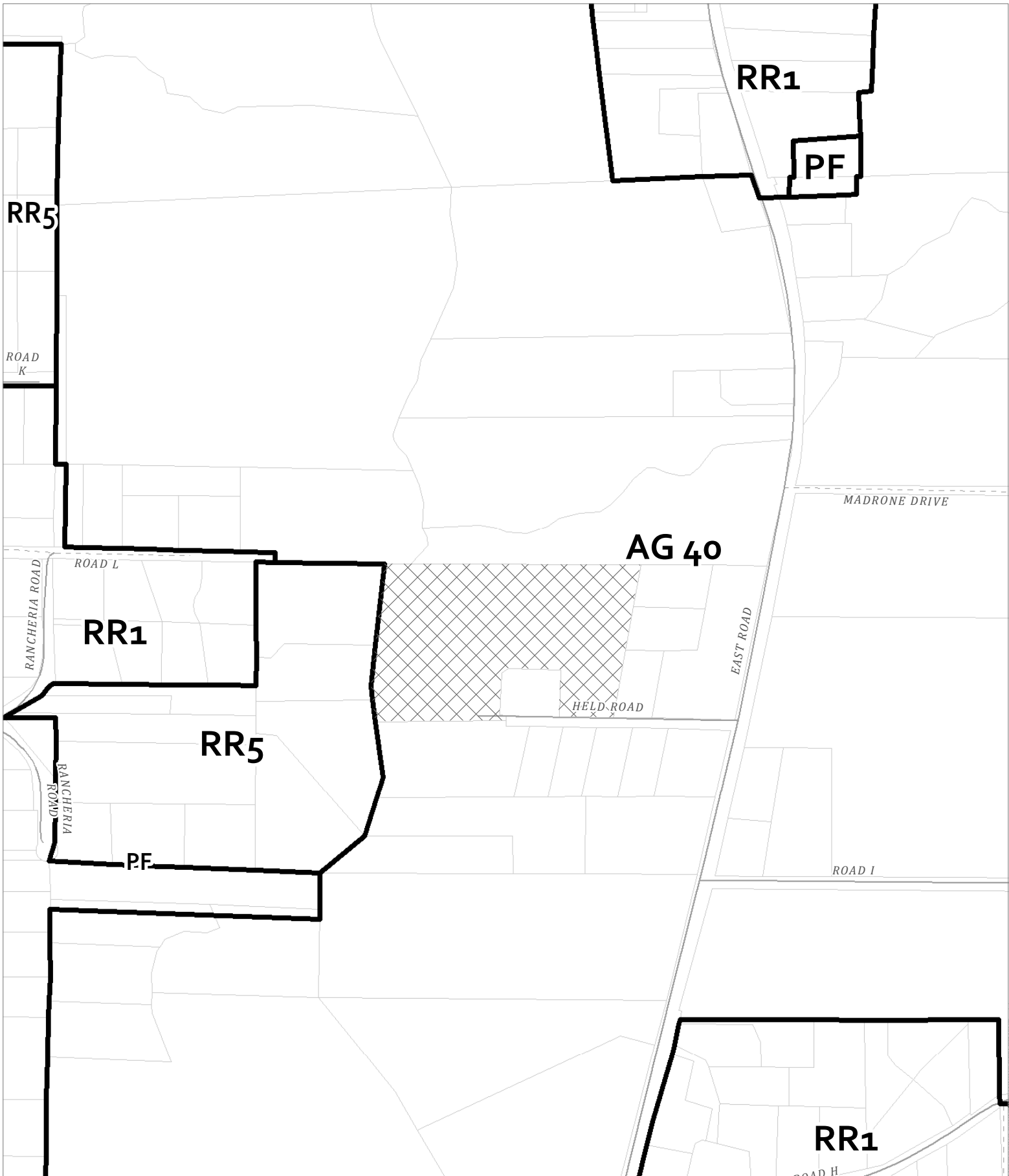
MENDOCINO COUNTY PLANNING DEPARTMENT - 4/1/2021





CASE: UM 2021-0003  
 OWNER: LOWE, David & Kathryn  
 APN: 161-120-25  
 APLCT: Shannon Johnson  
 AGENT: Douglas Losak  
 ADDRESS: 1790 Held Road, Redwood Valley

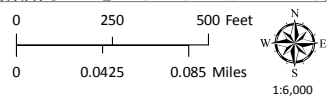
 Water





CASE: **UM 2021-0003**  
 OWNER: **LOWE, David & Kathryn**  
 APN: **161-120-25**  
 APLCT: **Shannon Johnson**  
 AGENT: **Douglas Losak**  
 ADDRESS: **1790 Held Road, Redwood Valley**

 Zoning Districts  
 Public Roads



MENDOCINO COUNTY PLANNING DEPARTMENT - 4/17/2021