

**RESOLUTION OF THE PLANNING COMMISSION  
OF THE COUNTY OF HUMBOLDT**

**Resolution Number: 24-003**

**Record Number: PLN-11281-CUP**

**Assessor's Parcel Number: 316-071-004**

**Resolution by the Planning Commission of the County of Humboldt certifying compliance with the California Environmental Quality Act and conditionally approves the Ghost Ship Investments, LLC Conditional Use Permit request.**

**WHEREAS, Ghost Ship Investments, LLC**, submitted an application and evidence in support of approving a Conditional Use Permit for continued cultivation of 25,758 square feet of outdoor cultivation and 21,942 square feet of mixed-light cultivation for a total of 47,700 square feet of pre-existing cannabis cultivation. The site includes 4,777 square feet of propagation area in three nursery hoop houses. A setback reduction from public lands is included in this request, and

**WHEREAS**, the County Planning Division, the lead agency, prepared an Addendum to the Final Mitigated Negative Declaration (MND) prepared for the Commercial Medical Marijuana Land Use Ordinance (CMMLUO) adopted by the Humboldt County Board of Supervisors on January 26, 2016. The proposed project does not present substantial changes that would require major revisions to the previous Mitigated Negative Declaration. No new information of substantial importance that was not known and could not be known at the time was presented as described by §15162(c) of CEQA Guidelines; and

**WHEREAS**, the Humboldt County Planning Commission held a duly-noticed public hearing on January 18, 2024, and reviewed, considered, and discussed the application for a Conditional Use Permit, and reviewed and considered all evidence and testimony presented at the hearing.

**Now, THEREFORE BE IT RESOLVED**, that the Planning Commission makes all the following findings:

- 1. FINDING:**                    **Project Description:** A Conditional Use Permit for 25,758 square feet of outdoor cultivation and 21,942 square feet of mixed-light cultivation for a total of 47,700 square feet of pre-existing cannabis cultivation. The site includes 4,777 square feet of propagation area in three nursery hoop houses. All water for cultivation is sourced from a permitted, groundwater well. Existing available water storage is 147,000 gallons in a series of hard-sided tanks. Estimated average annual water usage is believed to be 346,500 gallons however as much as 480,000 gallons may be utilized depending on circumstances. Drying and curing occurs onsite in an existing multi-use shed, with all other processing occurring offsite at a licensed processing or manufacturing facility. Power is provided by five (5) generators, with PG&E utilized for the water pump. The project is conditioned to transition to PG&E or on-site renewable energy by January 1, 2026. A setback reduction from public lands is requested to allow for the existing cultivation area on the south to be less than 600 feet from public lands (570 feet).

**EVIDENCE:** a) Project File: PLN-11281-CUP

- 2. FINDING:** **CEQA.** The requirements of the California Environmental Quality Act have been complied with. The Humboldt County Planning Commission has considered the Mitigated Negative Declaration (MND) prepared for the Commercial Medical Marijuana Land Use Ordinance (CMMLUO) adopted by the Humboldt County Board of Supervisors on January 26, 2016 and the Addendum to the MND that has been prepared for the Ghost Ship application.

**EVIDENCE:** a) Addendum prepared for the proposed project.

- b) The proposed project does not present substantial changes that would require major revisions to the previous MND. No new information of substantial importance that was not known and could not be known at the time was presented as described by §15162(c) of CEQA Guidelines.
- c) The subject parcel has previously had historic logging operations in the project area. The historically logged area has developed legacy logging roads and landings throughout the project site. The existing developed areas are utilized for the cannabis cultivation operations. The SMP identifies twenty-six (26) areas requiring remediation, including installation of erosion control features, stream crossing installation and maintenance, trash, domestic wastewater, and cultivation related waste. Conditions of approval require the applicant to implement any remaining corrective actions and Best Practical Treatment or Control (BPTC) measures and follow all monitoring requirements identified in the SMP to minimize any potential impacts associated with the project and minimize runoff into nearby SMAs.

In addition, a Technical Memorandum (APN 316-071-004 Erosion Remediation (Sexton Property)) was prepared by Stillwater Sciences, dated 5/30/17 (Attachment 4C), to assess the roads and culverts on the subject parcel and develop a remediation plan that decreases sediment delivery to Willow Creek and surrounding tributaries. The subject parcel is located in mountainous terrain with steep slopes (30%-70%) supporting conifer and hardwood stands. It is stated in the Technical Memorandum that evidence of slope instability within the Quaternary unit located along the northern extent of the property directly adjacent to State Highway 299 was observed. Stillwater Sciences inspected thirteen (13) road/stream crossings and one (1) well location, and the Technical Memorandum includes recommendations for numerous improvements on the subject site. As a condition of approval, the applicant shall implement all remaining erosion prevention improvements, culvert upgrades, and Best Management Practices (BMPs) identified in the Technical Memorandum.

Furthermore, a Final Streambed Alteration Agreement (SAA; Notification No. 1600-2019-0420-R1) was issued by the California Department of Fish and Wildlife (CDFW) in December 2017 (Attachment 4A; 4B). Included under the Final SAA are fourteen (14) encroachments to unnamed tributaries to Willow Creek, with twelve (12) of the encroachments to upgrade or decommission existing stream crossings and two (2) encroachments are to

remediate stream alterations associated with a notice of violation. Work for these encroachments is to include excavation, culvert removal, culvert installation, backfilling and compaction of fill, rock armoring as necessary to minimize erosion, and revegetation. These improvements have been completed and CDFW issued a notice that no further LSAA was required.

- d) The nearest known Northern spotted owl (NSO) positive observation site is greater than 0.5 miles from the cultivation site and the cultivation site is located approximately 0.37 miles from the nearest NSO activity center. The project proposes mixed-light cultivation and is conditioned to ensure any lighting adheres to Dark Sky Association standards. As previously described, power is currently provided by five (5) generators, although the applicant has long-term plans to switch to PG&E. Conditions of approval require the applicant to submit an energy use plan that describes the power demand for the project that includes a description of what power is required for (e.g., propagation, cultivation, and processing) and how much power is required on a monthly and annual basis. The energy plan shall also include a description of the generator(s) used to meet the power demand and state how the size of the generator is reasonable based on the power demand. The generator(s) used to support operations shall not be larger than required to meet operational needs. The plan shall also describe how the operation will transition to use of 80% renewable energy (e.g., solar, wind, and/or hydropower) sources by the end of 2026.

Additional conditions of approval require the applicant to refrain from using synthetic netting, ensure refuse is contained in wildlife-proof storage, and refrain from using anticoagulant rodenticides to further protect wildlife. Additional measures that would also protect biological resources are identified in the SMP prepared for the project and include drainage, runoff, and erosion control; watershed and habitat protection measures; and proper application, storage and disposal of fertilizers, pesticides, herbicides, and petroleum products. The project has a dedicated shed for fuel and nutrients near the cultivation area, as shown on the Plot Plan Map for Phase 1. Per the SMP, fertilizers, pesticides, and herbicides are applied at agronomic rates specified on the product label and the applicant keeps a log of their fertilizers, pesticides and herbicides use for annual reporting to the SWRCB. No trash or debris will be allowed to enter a watercourse or riparian setback area. The location of compostable cultivation waste is stored in a location and manner where it cannot be transported to surface waters. As proposed and conditioned, the project is consistent with CMMLUO performance standards and CDFW guidance and will not negatively impact NSO or other sensitive species.

- e) The subject parcel has previously had historic logging operations in the project area. The historically logged area has developed legacy logging roads and landings throughout the project site. The existing developed area were utilized for the cannabis cultivation operations.
- f) The project is within the historic aboriginal territory of the Bear River Band of the Rohnerville Rancheria and the Intertribal Sinkiyone Wilderness

Council. The project was referred to the Northwest Information Center at Sonoma State and sent emails requesting information to the Bear River Band of the Rohnerville Rancheria, the Hoopa Valley Tribe, and the Tsnungwe Council in August 2017. The requests for information resulted in no comments regarding any known archaeological or cultural sites on the subject property. A Tribal Elder and Councilperson for the Tsnungwe Tribe requested Archaeological Research Supply and Company provide any information regarding newly recorded cultural resources should any be located during the surface investigation. As of November 2, 2022, no other responses have been received. A Cultural Resources Investigation (dated November 2022; on file and confidential) was performed by Archaeological Research Supply and Company, in which no cultural resources were identified and included the standard inadvertent discovery protocol. The Report recommended inclusion of the standard inadvertent discovery protocol, which has been incorporated into the project as an informational note. The Report found one (1) historic isolate was identified during the archaeological survey. However, the historic isolate is located outside of the Area of Potential Effect (APE) and will remain unaffected by the project activities.

- g) The parcel is located directly off of State Highway 299 via a private driveway. An encroachment permit was issued by the California Department of Transportation (Caltrans) in January 2021 (Attachment 4G), which identifies ownership and responsibility for the maintenance of the existing commercial driveway accessed off of State Highway 299. If there is need for any future work will need a State issued encroachment permit. If the Applicant proposes any changes of the road connections and conditions an encroachment permit for the alternate use and may be subject to additional road maintenance improvements. The Site Management Plan (SMP) prepared by Green Road Consulting identified 7.38 miles of unpaved roads intersecting the subject property. The roads are mostly used from April to October and used minimally by workers for the cultivation operations. The Final SAA identified fourteen (14) encroachments stream crossings upgrades, replacements, and decommissioning throughout the subject parcel.

As previously described, no employees are required for the operation. Therefore, a significant increase in traffic is not expected under the project.

### **FINDINGS FOR CONDITIONAL USE PERMIT**

- 3. **FINDING:** The proposed development is in conformance with the County General Plan, Open Space Plan, and the Open Space Action Program.

- EVIDENCE:** a) General agriculture is a use type permitted in the Timberland (T) land use designation. The proposed cannabis cultivation, an agricultural product, is within land planned and zoned for Timberland (T) uses, consistent with the use of Open Space land for managed production of resources. The use of an agricultural parcel for commercial agriculture is consistent with the Open Space Plan and Open Space Action Program. Therefore, the project is



consistent with and complimentary to the Open Space Plan and its Open Space Action Program.

- 4. FINDING:** The proposed development is consistent with the purposes of the existing TPZ zone in which the site is located

- EVIDENCE:**
- a) The Timber Production Zone or TPZ Zone is intended to be applied to forested areas of the County in which timber production and recreation are the desirable predominant uses and agriculture is the secondary use, and in which protection of the timber and recreational lands is essential to the general welfare.
  - b) All general agricultural uses are principally permitted in the TPZ zone.
  - c) Humboldt County Code section 314-55.4.8.2.2 allows cultivation of up to 43,560 square feet of existing outdoor and 22,000 SF of existing mixed light cannabis on a parcel over 1 acre subject to approval of a Conditional Use Permit and a determination that the cultivation was in existence prior to January 1, 2016. The application for 25,758 square feet of outdoor cultivation and 21,942 square feet of mixed-light cultivation on a 562.10-acre parcel is consistent with this and with the cultivation area verification prepared by the County.

- 5. FINDING:** The proposed development is consistent with the requirements of the CMMLUO Provisions of the Zoning Ordinance.

- EVIDENCE:**
- a) The CMMLUO allows existing cannabis cultivation to be permitted in areas zoned TPZ (HCC 314-55.4.8.2.2).
  - b) A Certificate of Subdivision Compliance was issued for the parcel (DS-06-13D, Recorder No. 2011-5546-3)
  - c) Water for irrigation is provided by a permitted groundwater well (16/17-0803). The onsite well is also registered with the California Department of Water Resources (WCR2017-001220; Attachment 4H).

A Hydrological Report was prepared by Lindberg Geologic Consulting in April 2022 (Attachment 4F) to assess the potential for the well to be hydrologically connected to surface waters or any adjacent wetlands or wells, and if pumping the well could affect such waters. Per the Report the well has a low potential of having any direct connection to surface waters. The nearest adjacent watercourse, Willow Creek (Class II), is approximately 800 feet from the permitted well. According to the Hydrological Report, the well is located in the northwestern corner of the parcel. As noted in the Well Completion Report (Attachment 3), the well is 200 feet deep and drilled through overburden and sandstone with serpentine. s. The first water was encountered at 90 feet. The well elevation is approximately 2,230 feet above sea level, Willow Creek's elevation is approximately 2,040 feet, and the bottom of the well is approximately 2,120 feet, which is higher (190 feet to 80 feet, top to bottom of the well) than the elevation of Willow Creek tributaries at its nearest point, based on County Web GIS map. The well is sealed through the upper 20 feet of any potential unconfined, near-surface

aquifers. When considered with the stratigraphy and geologic structure, distances (horizontal and vertically) from the nearest surface waters, depth of the producing zone for the well (~90-200 feet, sheared and fractured serpentized peridotite), position of the well relative to the nearest adjacent watercourse (Willow Creek), the depth of the surface seal and the well site location are sufficient to preclude the potential for hydraulic connectivity. In conclusion, per Report, the water source from which the well draws appears to be an aquifer not connected to any other unconfined, near-surface aquifer(s), and the onsite well has a low likelihood of being hydrologically connected to nearby surface waters in any manner that could affect adjacent wetlands, surface waters, springs, and/or nearby wells in the vicinity.

As the well is hydrologically disconnected from surface waters, it does not require additional water rights from the State Water Resources Control Board (SWRCB) and is not subject to forbearance or water storage requirements. Conditions of approval require the applicant to monitor water use from the well and water storage tanks annually to demonstrate there is sufficient water available to meet operational needs.

As the well is hydrologically disconnected from surface waters, it does not require additional water rights from the State Water Resources Control Board (SWRCB) and is not subject to forbearance or water storage requirements. Conditions of approval require the applicant to monitor water use from the well and water storage tanks annually to demonstrate there is sufficient water available to meet operational needs.

Conditions of approval require the applicant to implement any remaining corrective actions and Best Practical Treatment or Control (BPTC) measures and follow all monitoring requirements identified in the SMP to minimize any potential impacts associated with the project and minimize runoff into nearby SMAs.

- d) The parcel is located directly off of State Highway 299 via a private driveway. An encroachment permit was issued by the California Department of Transportation (Caltrans) in January 2021 (Attachment 4G), which identifies ownership and responsibility for the maintenance of the existing commercial driveway accessed off of State Highway 299. If there is need for any future work the property owner will need a State issued encroachment permit. The on-site roads are mostly used from April to October and used minimally by workers for the cultivation operations. The Final SAA identified fourteen (14) encroachments stream crossings upgrades, replacements, and decommissioning throughout the subject parcel and these have all been completed.
- e) The location of the cultivation complies with most setbacks required in Section 314-55.4.11.d. It is more than 30 from any property line and more than 600 feet from any school, church, or Tribal Cultural Resource. One of the cultivation areas is located 570 feet from the shared property line with Six Rivers National Forest and a reduction in the 600 foot setback is required. This reduction can be approved as there are no mapped sensitive plant or animal species within ½ mile of the cultivation site on this USFS

property and the 30 foot reduction will not interfere with the ability of the lands to be managed for open space and wildlife purposes.

**6. FINDING:**

The cultivation of 47,700 square feet (SF) of cannabis cultivation and the conditions under which it may be operated or maintained will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity.

**EVIDENCE:**

- a) The site is located on a road, Highway 299, that has been certified to safely accommodate the amount of traffic generated by the proposed cannabis cultivation.
- b) The site is in a rural part of the County where the typical parcel size is over 40 acres and many of the land holdings are very large. The proposed cannabis will not be in a location where there is an established neighborhood or other sensitive receptor such as a school, church, park or other use which may be sensitive to cannabis cultivation. Approving cultivation on this site and the other sites which have been approved or are in the application process will not change the character of the area due to the large parcel sized in the area.
- c) Water for irrigation is provided by a permitted groundwater well (16/17-0803). The onsite well is also registered with the California Department of Water Resources (WCR2017-001220; Attachment 4H).

A Hydrological Report was prepared by Lindberg Geologic Consulting in April 2022 (Attachment 4F) to assess the potential for the well to be hydrologically connected to surface waters or any adjacent wetlands or wells, and if pumping the well could affect such waters. Per the Report the well has a low potential of having any direct connection to surface waters.

As the well is hydrologically disconnected from surface waters, it does not require additional water rights from the State Water Resources Control Board (SWRCB) and is not subject to forbearance or water storage requirements. Conditions of approval require the applicant to monitor water use from the well and water storage tanks annually to demonstrate there is sufficient water available to meet operational needs.

- d) Provisions have been made in the applicant's proposal to protect water quality and thus runoff to adjacent property and infiltration of water to groundwater resources will not be affected.
- e) Power is provided by five (5) generators, with long-term plans to switch to Pacific Gas and Electric Company (PG&E) power. The generators comprise of four (4) 3-kilowatt (KW) Honda and one (1) 3.6KW self-priming GX160 Honda water pump. As previously described, conditions of approval require the applicant to submit an energy use plan that describes the power demand for the project that includes a description of what power is required for (e.g., propagation, cultivation, and processing) and how much power is required on a monthly and annual basis. The energy plan shall also include a

description of the generator(s) used to meet the power demand and state how the size of the generator is reasonable based on the power demand. The generator(s) used to support operations shall not be larger than required to meet operational needs. The plan shall also describe how the operation will transition to use of renewable energy (e.g., solar, wind, and/or hydropower) sources by the end of 2026.

- 7. FINDING:** The proposed development does not reduce the residential density for any parcel below that utilized by the Department of Housing and Community Development in determining compliance with housing element law.

**EVIDENCE:** a) The parcel was not included in the housing inventory of Humboldt County's 2019 Housing Element but is currently developed with one housing unit. The approval of cannabis cultivation on this parcel will not conflict with the ability for the existing residence to continue to be utilized on this parcel.

- 8. FINDING:** Approval of this project is consistent with Humboldt County Board of Supervisors Resolution No. 18-43 which established a limit on the number of permits and acres which may be approved in each of the County's Planning Watersheds.

**EVIDENCE:** a) The project site is located in the Lower Trinity Planning Watershed, which under Resolution 18-43 is limited to 169 permits and 58 acres of cultivation. With the approval of this project the total approved permits in this Planning Watershed would be 72 permits and the total approved acres would be 33 acres of cultivation.

## DECISION

**NOW, THEREFORE**, based on the above findings and evidence, the Humboldt County Planning Commission does hereby:

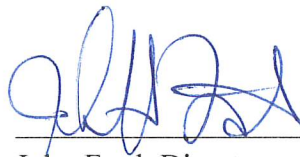
- Adopt the findings set forth in this resolution; and
- Conditionally approves the Conditional Use Permit for Ghost Ship Investments, LLC, based upon the Findings and Evidence and subject to the conditions of approval attached hereto as Attachment 1 and incorporated herein by reference; and

Adopted after review and consideration of all the evidence on **January 18, 2024**.

The motion was made by COMMISSIONER Peggy O'Neill and second by COMMISSIONER Brian Mitchell and the following ROLL CALL vote:

AYES:	COMMISSIONERS:	Iver Skavdal, Lonyx Landry, Noah Levy, Peggy O'Neill, Sarah West, Brian Mitchell
NOES:	COMMISSIONERS:	
ABSENT:	COMMISSIONERS:	Thomas Mulder,
ABSTAIN:	COMMISSIONERS:	
DECISION:		Motion carries 6/0

I, John Ford, Secretary to the Planning Commission of the County of Humboldt, do hereby certify the foregoing to be a true and correct record of the action taken on the above-entitled matter by said Commission at a meeting held on the date noted above.



John Ford, Director  
Planning and Building Department



## CONDITIONS OF APPROVAL

### **APPROVAL OF THE CONDITIONAL USE PERMIT IS CONDITIONED ON THE FOLLOWING TERMS AND REQUIREMENTS WHICH MUST BE SATISFIED BEFORE THE PROVISIONAL CANNABIS CULTIVATION PERMIT CAN BE FINALIZED.**

#### **A. General Conditions**

1. The applicant is responsible for obtaining all necessary County and State permits and licenses, and for meeting all requirements set forth by other regulatory agencies.
2. The applicant is required to pay for permit processing on a time and material basis as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors. The Planning and Building Department will provide a bill to the applicant after the decision. Any and all outstanding planning fees to cover the processing of the application to decision by the Hearing Officer shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka.
3. The applicant is responsible for costs for post-approval review for determining project conformance with conditions. A deposit is collected to cover this staff review. Permit conformance with conditions must be demonstrated prior to release of building permit or initiation of use and at time of annual inspection. A conformance review deposit as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors (currently \$750) shall be paid within sixty (60) days of the effective date of the permit or upon filing of the Compliance Agreement (where applicable), whichever occurs first. Payment shall be made to the Humboldt County Planning Division, 3015 "H" Street, Eureka.
4. A Notice of Determination (NOD) will be prepared and filed with the County Clerk for this project in accordance with the State CEQA Guidelines. The Department will file the NOD and will charge this cost to the project.
5. Within 60 days of the effective date of permit approval, the applicant shall execute a Compliance Agreement with the Humboldt County Planning and Building Department detailing all necessary permits and infrastructure improvements described under Conditions of Approval #6 - #17. The agreement shall provide a timeline for completing all outstanding items. All activities detailed under the agreement must be completed to the satisfaction of the Planning and Building Department before the permit may be finalized and no longer considered provisional.
6. The applicant shall secure permits for all structures and grading related to the cannabis cultivation and other commercial cannabis activity, including but not limited to, existing and proposed greenhouses, water tanks over 5,000 gallons existing, proposed structures associated with drying and storage or any activity with a nexus to cannabis, generators, any noise containment structures and graded flats, as necessary. The plans submitted for building permit approval shall be consistent with the project description and the approved project site plan. A letter or similar communication from the Building Division verifying that all structures related to the cannabis cultivation are permitted will satisfy this condition.
7. Within 60 days of project approval, the applicant shall submit an energy use plan that describes the power demand for the project that includes a description of what power is required for (e.g., propagation, cultivation, and processing) and how much power is required on a monthly and annual basis. The energy plan shall also include a description of the generator(s) used to meet the power demand and state how the size of the generator is reasonable based on the power demand. The generator(s) used to support operations shall not be larger than required to meet operational needs. The plan shall also describe how the operation will transition to use of renewable energy (e.g., solar, wind, and/or hydropower) sources by January 1, 2026.

8. The applicant shall implement all corrective actions (Best Practical Treatment or Control (BPTC) measures detailed in the Site Management Plan (SMP; WDID 1B161626CHUM) developed for the parcel, prepared by Green Road Consulting, dated 7/17/19, pursuant to Tier 1 enrollment under the State Water Resource Control Board (State Water Board) Cannabis Cultivation Policy (Cannabis Policy), in congruence with Order WQ 2017-0023-DWQ General Waste Discharge Requirements for Dischargers of Waste Associated with Cannabis Cultivation Activities (General Order). The applicant shall submit a letter or similar communication from a qualified professional (e.g., civil engineer or Registered Professional Forester) that the improvements were completed as recommended in the SMP.
9. The applicant shall construct noise containment structures for all generators used on the parcel. The applicant shall obtain all required building permits for such structures. The applicant shall maintain generator, fan, and dehumidifier noise at or below 50 decibels at the edge of the clearing or 100 feet, whichever distance is closer. This will satisfy the auditory disturbance guidance prepared by the U.S. Fish and Wildlife (USFS), California Fish and Wildlife (CDFW) and Department Policy Statement No. 16-005 to minimize impacts to the Northern Spotted Owl and Marbled murrelet. All generators must be located on stable surfaces with a minimum 200-foot buffer from Class I and Class II streams, per the requirements of CDFW. Noise enclosures shall be in place prior to the beginning of cultivation in 2024.
10. An encroachment permit from the California Department of Transportation (Caltrans), dated February 2021, has been issued to identify ownership and responsibility for the maintenance of the existing commercial driveway accessed off of State Highway 299. If there is need for any future work will need a State issued encroachment permit. If the Applicant proposes any changes of the road connections and conditions an encroachment permit for the alternate use and may be subject to additional road maintenance improvements.
11. All artificial lighting used for propagation shall comply with International Dark Sky Association standards for Lighting Zone 0 and Lighting Zone 1, and be designed to regulate light spillage onto neighboring properties resulting from backlight, up light, or glare (BUG). International Dark Sky Association standards exceed the requirements of Scenic Resources Standard SR-S4, Light and Glare, that lighting be fully shielded, and designed and installed to minimize off-site lighting and direct light within the property boundaries. The applicant shall demonstrate compliance with this condition to the Humboldt County Planning Department prior to use of any artificial lighting. A sign-off from the Planning Department will satisfy this condition.
12. The applicant shall not use any erosion control measures that contain synthetic (e.g. plastic or nylon) monofilament netting, including photo- or biodegradable plastic netting, on a regular and on-going basis. Geotextiles, fiber rolls, and other erosion control measures shall be made of loose-weave mesh, such as jute, hemp, coconut (coir) fiber, or other products without weaves.
13. All refuse shall be contained in wildlife proof containers, at all times, and relocated to an authorized waste management facility, in compliance with State and local laws, on a regular and on-going basis.
14. The Applicant shall install and utilize a water meter to demonstrate that there is sufficient water supply to meet the demands of the project. The water use for cultivation is limited to the use of the well and amount of water available in storage tanks and shall be provided annually prior to or during the annual inspection.
15. The applicant shall cause to be recorded an "ACKNOWLEDGMENT OF NO AVAILABLE EMERGENCY RESPONSE AND FIRE SUPPRESSION SERVICES" for the parcel(s) on a form provided by the Humboldt County Planning Division. Document review fees as set forth in the schedule of fees and charges as

adopted by ordinance of the Humboldt County Board of Supervisors will be required.

16. The applicant shall be compliant with the County of Humboldt's Certified Unified Program Agency (CUPA) requirements regarding hazardous materials. A written verification of compliance shall be required before any provisional permits may be finalized. Ongoing proof of compliance with this condition shall be required at each annual inspection in order to keep the permit valid.
17. The applicant shall execute and file with the Planning Division the statement titled, "Notice and Acknowledgment regarding Agricultural Activities in Humboldt County," ("Right to Farm" ordinance) as required by the HCC and available at the Planning Division.
18. A total of 220,000 gallons of water storage shall be developed on the property. This water storage shall be in place no later than January 18, 2029.
19. All travel trailers on-site shall be relocated out of Streamside Management Areas and shall not be utilized for residential purposes on the site.

**B. Ongoing Requirements/Development Restrictions Which Must be Satisfied for the Life of the Project:**

1. The combination of background, generator, or other operational equipment created noise must not result in the harassment of Northern Spotted Owl species as required to meet the performance standards for noise set by Department Policy Statement No. 16-005 clarifying CMMLUO Section 55.4.11 (o) requirements. The combined noise levels measured at 100 feet or the edge of habitat, whichever is closer, shall be at or below 50 decibels. Conformance will be evaluated using current auditory disturbance guidance prepared by the United State Fish and Wildlife Service, and further consultation where necessary. A building permit shall be obtained should any structures be necessary for noise attenuation.
2. All artificial lighting shall be fully contained within structures such that no light escapes (e.g., through blackout curtains). Structures shall be enclosed between 30 minutes prior to sunset and 30 minutes after sunrise to prevent disruption to crepuscular wildlife. Security lighting shall be motion activated and comply with the International Dark-Sky Association standards and Fixture Seal of Approval Program; see: <https://www.darksky.org/our-work/lighting/lighting-for-citizens/lighting-basics/>. Standards include but are not limited to the following, 1) light shall be shielded and downward facing, 2) shall consist of Low Pressure Sodium (LPS) light or low spectrum Light Emitting Diodes (LED) with a color temperature of 3000 kelvins or less and 3) only placed where needed.
3. The applicant shall abide by recommendations of the Timber Conversion Report prepared by Timberland Resource Consultants (TRC) July 4, 2019, and received November 8, 2019 which include but are not limited to, floristic surveys to ensure no potentially special status plant species or communities are present should additional ground disturbance or habitat conversion be proposed in the future; ensuing supplemental lighting associated with mixed-light cultivation is fully contained with black out tarps and have all outside lighting on timers or motion sensors to reduce light exposure to wildlife and their potential habitat; and, avoid heavy equipment operations during NSO critical period (February 1 – July 31) or perform protocol level surveys prior to initiating that work.
4. Should the Humboldt County Planning Division receive complaints that the lighting or noise is not complying with the standards listed above in items B.1. and B.2., within ten (10) working days of receiving written notification that a complaint has been filed, the applicant shall submit written verification that the lights' shielding and alignment, and noise levels have been repaired, inspected, and corrected as necessary.
5. Prohibition on use of synthetic netting. To minimize the risk of wildlife entrapment, Permittee shall not use any erosion control and/or cultivation materials that contain synthetic (e.g., plastic or nylon)

netting, including photo- or biodegradable plastic netting. Geotextiles, fiber rolls, and other erosion control measures shall be made of loose-weave mesh, such as jute, hemp, coconut (coir) fiber, or other products without welded weaves.

6. All refuse shall be contained in wildlife proof storage containers, at all times, and disposed of at an authorized waste management facility.
7. Should any wildlife be encountered during work activities, the wildlife shall not be disturbed and be allowed to leave the work site unharmed.
8. The use of anticoagulant rodenticide is prohibited.
9. The operator shall provide information to all employees about the potential health impacts of cannabis use on children. Information shall be provided by posting the brochures from the Department of Health and Human Services titled "Cannabis Palm Card" and "Cannabis Rack Card." This information shall also be provided to all employees as part of the employee orientation.
10. All components of project shall be developed, operated, and maintained in conformance with the Project Description, the approved Site Plan, the Plan of Operations, and these conditions of approval. Changes shall require modification of this permit except where consistent with Humboldt County Code Section 312-11.1, Minor Deviations to Approved Plot Plan. If offsite processing is chosen to be the preferred method of processing, this permit shall be modified to identify the offsite licensed facility.
11. Cannabis cultivation and other commercial cannabis activity shall be conducted in compliance with all laws and regulations as set forth in the CMMLUO and MAUCRSA, as applicable to the permit type.
12. If operating pursuant to a written approved compliance agreement, permittee shall abate or cure violations at the earliest feasible date, but in no event no more than two (2) years from the date of issuance of a provisional clearance or permit. Permittee shall provide plans for curing such violations to the Planning and Building Department within one (1) year of issuance of the provisional clearance or permit. If good faith effort toward compliance can be shown within the two years following the issuance of the provisional clearance or permit, the Department may, at the discretion of the Director, provide for extensions of the provisional permit to allow additional time to meet the outstanding requirements.
13. Possession of a current, valid required license, or licenses, issued by any agency of the State of California in accordance with the MAUCRSA, and regulations promulgated thereunder, as soon as such licenses become available.
14. Compliance with all statutes, regulations, and requirements of the California State Water Resources Control Board and the Division of Water Rights, at a minimum to include a statement of diversion of surface water from a stream, river, underground stream, or other watercourse required by Water Code Section 5101, or other applicable permit, license, or registration, as applicable.
15. Confinement of the area of cannabis cultivation, processing, manufacture, or distribution to the locations depicted on the approved site plan. The commercial cannabis activity shall be set back at least 30 feet from any property line, and 600 feet from any school, school bus stop, church or other place of religious worship, or tribal cultural resources, except where a reduction to this setback has been approved pursuant to Section 55.4.11(d).
16. Maintain enrollment in Tier 1, 2, or 3, certification with North Coast Regional Water Quality Control Board (RWQCB) Order No. R1-2015-0023, if applicable, or any substantially equivalent rule that may be subsequently adopted by the County of Humboldt or other responsible agency.

17. Comply with the terms of the Final Lake and Stream Alteration Agreement (EPIMS-HUM-09230-R1), as well as any subsequent amendments, obtained from the California Department of Fish and Wildlife (CDFW).
18. Comply with the terms of a less-than-3-acre conversion exemption or timberland conversion permit, approved by the California Department of Forestry and Fire Protection (Cal Fire), if applicable.
19. Consent to an annual on-site compliance inspection, with at least 24 hours prior notice, to be conducted by appropriate County officials during regular business hours (Monday through Friday, 9:00 a.m. to 5:00 p.m., excluding holidays).
20. Refrain from the improper storage or use of any fuels, fertilizer, pesticide, fungicide, rodenticide, or herbicide.
21. Pay all applicable application, review for conformance with conditions and annual inspection fees.
22. Fuel shall be stored and handled in compliance with applicable state and local laws and regulations, including the County of Humboldt's Certified Unified Program Agency (CUPA) program, and in such a way that no spillage occurs.
23. The master log books maintained by the applicant to track production and sales shall be maintained for inspection by the County.
24. Pay all applicable taxes as required by the Humboldt County Commercial Marijuana Cultivation Tax Ordinance (Humboldt County Code Section 719-1 et seq.).
25. Fish stocking of the on-site pond is prohibited without written permission from CDFW pursuant to Section 6400 of the Fish and Game Code

#### Performance Standards for Cultivation and Processing Operations

26. Pursuant to the MCRSA, Health and Safety Code Section 19322(a)(9), an applicant seeking a cultivation license shall "provide a statement declaring the applicant is an 'agricultural employer,' as defined in the Alatorre-Zenovich-Dunlap-Berman Agricultural Labor Relations Act of 1975 (Part 3.5 commencing with Section 1140) of Division 2 of the Labor Code), to the extent not prohibited by law."
27. Cultivators shall comply with all applicable federal, state, and local laws and regulations governing California Agricultural Employers, which may include federal and state wage and hour laws, Cal/OSHA, OSHA, the California Agricultural Labor Relations Act, and the Humboldt County Code (including the Building Code).
28. Cultivators engaged in processing shall comply with the following Processing Practices:
  - a. Processing operations must be maintained in a clean and sanitary condition including all work surfaces and equipment.
  - b. Processing operations must implement protocols which prevent processing contamination and mold and mildew growth on cannabis.
  - c. Employees handling cannabis in processing operations must have access to facemasks and gloves in good operable condition as applicable to their job function.
  - d. Employees must wash hands sufficiently when handling cannabis or use gloves.
29. All persons hiring employees to engage in commercial cannabis cultivation and processing shall comply with the following Employee Safety Practices:



- a. Cultivation operations and processing operations must implement safety protocols and provide all employees with adequate safety training relevant to their specific job functions, which may include:
    - (1) Emergency action response planning as necessary;
    - (2) Employee accident reporting and investigation policies;
    - (3) Fire prevention;
    - (4) Hazard communication policies, including maintenance of material safety data sheets (MSDS);
    - (5) Materials handling policies;
    - (6) Job hazard analyses; and
    - (7) Personal protective equipment policies, including respiratory protection.
  - b. Cultivation operations and processing operations must visibly post and maintain an emergency contact list which includes at a minimum:
    - (1) Operation manager contacts;
    - (2) Emergency responder contacts; and
    - (3) Poison control contacts.
  - c. At all times, employees shall have access to safe drinking water and toilets and handwashing facilities that comply with applicable federal, state, and local laws and regulations. Plumbing facilities and water source must be capable of handling increased usage without adverse consequences to neighboring properties or the environment.
  - d. On site-housing provided to employees shall comply with all applicable federal, state, and local laws and regulations.
30. All cultivators shall comply with the approved processing plan as to the following:
- a. Processing practices
  - b. Location where processing will occur
  - c. Number of employees, if any
  - d. Employee Safety Practices
  - e. Toilet and handwashing facilities
  - f. Plumbing and/or septic system and whether or not the system is capable of handling increased usage
  - g. Drinking water for employees
  - h. Plan to minimize impact from increased road use resulting from processing
  - i. On-site housing, if any
31. Term of Commercial Cannabis Activity Conditional Use Permit. Any Commercial Cannabis Cultivation CUP issued pursuant to the CMMLUO shall expire one (1) year after date of issuance, and on the anniversary date of such issuance each year thereafter, unless an annual compliance inspection has been conducted and the permittees and the permitted site have been found to comply with all conditions of approval.
32. If the inspector or other County official determines that the permittees or site do not comply with the conditions of approval, the inspector shall serve the permit holder with a written statement identifying the items not in compliance, and the action that the permit holder may take to cure the noncompliance, or file an appeal within ten (10) days of the date that the written statement is delivered to the permit holder. Personal delivery or mailing the written statement to the mailing address listed on the application by regular mail, plus three (3) days after date of mailing, shall constitute delivery. The permit holder may request a reinspection to determine whether or not the permit holder has cured all issues of noncompliance. Failure to request reinspection or to cure any items of noncompliance shall terminate the Special Permit, immediately upon the expiration of any appeal period, or final determination of the appeal if an appeal has been timely filed pursuant to Section 55.4.13.

33. Permit Renewals to Comply with Updated Laws and Regulations. Permit renewal is subject to the laws and regulations effective at the time of renewal, which may be substantially different than the regulations currently in place and may require the submittal of additional information to ensure that new standards are met.
34. Acknowledgements to Remain in Full Force and Effect. Permittee acknowledges that the County reserves the right to reduce the size of the area allowed for cultivation under any clearance or permit issued in accordance with this section in the event that environmental conditions, such as a sustained drought or low flows in the watershed in which the cultivation area is located, will not support diversions for irrigation.
35. Transfers. Transfer of any leases or permits approved by this project is subject to the review and approval of the Planning Director for conformance with CMMLUO eligibility requirements and agreement to permit terms and acknowledgments. The fee for required permit transfer review shall accompany the request. The request shall include the following information:
- Identifying information for the new owner(s) and management as required in an initial permit application;
  - A written acknowledgment by the new owner in accordance as required for the initial permit application;
  - The specific date on which the transfer is to occur;
  - Acknowledgement of full responsibility for complying with the existing permit; and
  - Execution of an Affidavit of Non-diversion of Medical Cannabis.
36. Inspections. The permit holder and subject property owner are to permit the County or representative(s) or designee(s) to make inspections at any reasonable time deemed necessary to assure that the activities being performed under the authority of this permit are in accordance with the terms and conditions prescribed herein.

#### **Informational Notes:**

- Pursuant to Section 314-55.4.11(a) of the CMMLUO, if upon inspection for the initial application, violations of any building or other health, safety, or other state or county statute, ordinance, or regulation are discovered, the Planning and Building Department may issue a provisional clearance or permit with a written approved Compliance Agreement. By signing the agreement, the permittee agrees to abate or cure the violations at the earliest opportunity but in no event more than two (2) years after the date of issuance of the provisional clearance or permit. Plans for curing the violations shall be submitted to the Planning and Building Department by the permittee within one (1) year of the issuance of the provisional certificate or permit. The terms of the compliance agreement may be appealed pursuant to Section 314-55.4.13 of the CMMLUO.
- This provisional permit approval shall expire and become null and void at the expiration of one (1) year after all appeal periods have lapsed (see "Effective Date"), except where the Compliance Agreement per Condition of Approval #12 has been executed and the corrective actions pursuant to the agreement are being undertaken. Once building permits have been secured and/or the use initiated pursuant to the terms of the agreement, the use is subject to the Permit Duration and Renewal provisions set forth in Conditions of Approval #30 through #32 of the Ongoing Requirements/Development Restrictions, above.
- If cultural resources are encountered during construction activities, the contractor on-site shall cease all work in the immediate area and within a 50-foot buffer of the discovery location. A qualified archaeologist and the appropriate Tribal Historic Preservation Officer(s) are to be contacted to evaluate the discovery and, in consultation with the applicant and the lead agency, develop a treatment plan in any instance where significant impacts cannot be avoided.

Prehistoric materials may include obsidian or chert flakes, tools, locally darkened midden soils, groundstone artifacts, shellfish or faunal remains, and human burials. If human remains are found, California Health and Safety Code 7050.5 requires that the County Coroner be contacted immediately at 707-445-7242. If the Coroner determines the remains to be Native American, the Native American Heritage Commission will then be contacted by the Coroner to determine appropriate treatment of the remains pursuant to Public Resources Code (PRC) Section 5097.98. Violators shall be prosecuted in accordance with PRC Section 5097.99.

4. The applicant shall be aware that the Federal Government considers the cultivation of cannabis to be an illegal activity. This project is accessed by using roads owned and maintained by the Federal Government (the U.S. Forest Service) and that pass-through lands owned by the Federal Government. The Federal Government may not allow the applicant to use these roads to transport cannabis. In such case, Humboldt County will not provide relief to the applicant. Approval of this permit does not authorize transportation of cannabis across Federal lands.



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## Site Plan Overview and Cultivation and Operations Plan

### Applicant

Ghost Ship Enterprises, LLC

11281

1041 F Street

Arcata, CA 95521

Parcel: 316-071-004

### Agent

Kaylie Saxon

Green Road Consulting

1650 Central Avenue, Suite C

McKinleyville, CA 95519

## I. Site Plan Overview

### 1.0 Project Information

Ghost Ship Enterprises, LLC ("Applicant") is submitting this application for a Type 3 Use Permit for 25,842 square feet of existing outdoor commercial cannabis cultivation and a Type 3B Use Permit for 22,000 square feet of existing mixed light commercial cannabis cultivation on a 562-acre parcel, located in Willow Creek, CA ("Parcel"), Assessor's Parcel Number 316-071-004.

The Applicant is sourcing water for the cultivation from a permitted, confined aquifer well. There are four (4) 3,000-gallon and eight (8) 5,000-gallon HDPE water tanks that total 52,000 gallons of water storage that is filled from the well. Irrigation will be completed by a timed, metered drip irrigation system. The Applicant estimates their annual water usage to be 346,500 gallons.

There are two (2) buildings on site that are used for cultivation related activities and may require permitting with the Humboldt County Building Department. The mixed light cultivation occurs in a total of seventeen (17) existing greenhouses. The Applicant currently does not have any power or lighting to any greenhouses, but is applying for mixed light cultivation to preserve the ability to do so in the future.

The Applicant is currently anticipating two (2) harvests from their mixed light cultivation areas and one (1) harvest from their outdoor cultivation areas. There will not be any employees used for any cultivation related activities. The Applicant will be using a 3<sup>rd</sup> party processing company.

This application is submitted through his agent, Kaylie Saxon of Green Road Consulting, Inc., and has been prepared in accordance with Humboldt County's ("County") Commercial Medical Marijuana Land Use Ordinance ("CMMLUO").

The Type 3 and Type 3B Use Permit would achieve the following results for the Applicant:

- a. Permit 25,842 square feet of Outdoor commercial cannabis cultivation activities that were in existence prior to January 1, 2016, in compliance with the County CMMLUO;
- b. Permit 22,000 square feet of Mixed Light commercial cannabis cultivation activities that were in existence prior to January 1, 2016, in compliance with the County CMMLUO; and
- c. Comply with applicable standards for water quality maintenance and watershed protection through the Waiver of Waste Discharge requirements of the North Coast Regional Water Quality Control Board ("Water Board") and California Department of Fish and Wildlife ("Fish and Wildlife").

### 2.0 Project Location

The Applicant's Parcel is located in the inland zone of Humboldt County near Willow Creek, CA. The Parcel is comprised of 562-acres and is identified by Assessor's Parcel Number ("APN") 316-071-004. The street address for this Parcel is 33818 St. Hwy 299, Willow Creek, CA 95573.

#### 2.1 Zoning Classification

The County's Zoning Classification of the Parcel is TPZ with a Current General Plan of T (FRWK). The CMMLUO permits existing Outdoor commercial cannabis cultivation on land



## Outdoor Cultivation

### Cultivation Area #1

Cultivation Area #1 is located in the southwestern section of the parcel. It consists of approximately 16,000 square feet of outdoor cannabis cultivation.

### Cultivation Area #1

Cultivation Area #2 is located in the southwestern section of the parcel. It consists of approximately 2,000 square feet of outdoor cannabis cultivation.

### Cultivation Area #1

Cultivation Area #2 is located in the southern section of the parcel. It consists of approximately 1,920 square feet of outdoor cannabis cultivation.

## Mixed Light

### Greenhouses #1/#2

Greenhouse#1/#2 are in the northwestern section of the parcel on a graded flat that was created by the timber company. The greenhouses are 20'x50' (1,000 square feet) totaling 2,000 square feet of cultivation.

### Greenhouses #3 - #4

Greenhouse#3/#4 are in the northwestern section of the parcel on a graded flat that was created by the timber company. The greenhouses are 20'x70' (1,400 square feet) totaling 2,800 square feet of cultivation.

### Greenhouses #5/#6

Greenhouse#5/#6 are in the northwestern section of the parcel on a graded flat that was created by the timber company. The greenhouses are 20'x80' (1,600 square feet) totaling 3,200 square feet of cultivation.

### Greenhouses #7/#8

Greenhouse#7/#8 are in the northwestern section of the parcel on a graded flat that was created by the timber company. The greenhouses are 20'x85' (1,700 square feet) totaling 3,400 square feet of cultivation.

### Greenhouses #9

Greenhouse#9 is in the central northwestern section of the parcel on a graded flat that was created by the timber company. The greenhouse is 20'x96' (1,920 square feet).

### Greenhouses #10-#13

Greenhouse#10-#13 are in the central section of the parcel on a graded flat that was created by the timber company. The greenhouses are 20'x96' (1,920 square feet) totaling 7,680 square feet of cultivation.

All water used for cultivation is sourced from the permitted, confined aquifer well. There is an additional well used only for domestic purposes.

#### **10.2 Water Storage**

There are eight (8) 5,000-gallon and four (4) 3,000-gallon HDPE water tanks that total 52,000 gallons of hard tank water storage.

#### **10.3 Irrigation Plan**

All irrigation of cannabis is completed by a timed, metered, drip irrigation system preventing any over watering or runoff.

#### **10.4 Projected Water Use**

The amount of water used for the cultivation of cannabis will vary throughout the year, with peak periods of water use occurring during the summer months. The Applicant's cultivation and water use is outlined in the Cultivation and Water Usage Chart, attached as Attachment "B."

All water used for cultivation is sourced from the permitted, confined aquifer well. The Applicant estimates their annual water use to be 346,500 gallons.

#### **11.0 Site Drainage, Runoff, Erosion Control Measures and Watershed Protection**

There are twenty-seven (27) Class III Drainages, six (6) Class II Watercourses and one (1) Class I watercourse (Ruby Creek) that cross the parcel.

The included Monitoring and Reporting form states that the following items do not currently meet the Standard Conditions and will require the remediation outlined in the Water Resource Protection Plan:

- Site Maintenance, Erosion Control and Drainage Features (estimated date of compliance, 10/2021);
- Stream Crossing Maintenance (estimated date of compliance, 10/2021);
- Riparian and Wetland Protection and Management (estimated date of compliance (10/2018);
- Cultivation Related Wastes (estimated date of compliance, 10/2018); and
- Refuse and Human Waste (estimated date of compliance, 10/2020).

The following items do meet the Standard Conditions and will require no remediation:

- Spoils Management;
- Water Storage and Use;
- Irrigation Runoff;
- Fertilizers and Soil Amendments; and
- Petroleum Products and Other Chemicals.

Once the Water Resource Protection Plan is complete, the remediation measures necessary will be outlined in detail.

## 2.0 Cultivation Activities

Cultivation activities typically begin sometime during May when cannabis plants are brought to the Parcel for planting. In the future, the Applicant may install lighting in the greenhouses in order to extend their cultivation season.

The applicant will be pulling tarps over the greenhouses in order to have two (2) harvests of cannabis via light deprivation, sometime in July and October. Tarps will be pulled by hand and will not have any negative effects to the surrounding area or the cannabis. The outdoor cultivation will be harvested in October.

All those working on the property will be instructed in safe and proper techniques for performing any duties pretraining to cultivation. This includes the utilization of personal protective equipment and proper use of tools and necessary instruments required for the performance of one's duties. Personal protective equipment shall be provided for all employees and/or independent contractors via the proponent as well as having ample personal protective equipment in stock and onsite. Clean and safe drinking water will be in the form of filtered spring water. For the safety of the public and employees working while intoxicated will not be tolerated. All Employee and/or independent contractors shall be made aware of the following.

- I. Location of fire extinguishers and the "P.A.S.S" technique.
- II. List of operations manager contacts;
- III. List of emergency control contacts;
- IV. List of poison control contacts;
- V. Location of first aid kit;
- VI. Location of Restroom and hand washing stations;
- VII. Location of clean drinking water and;
- VIII. Location of Personal protective equipment.

All work surfaces and equipment are maintained in a clean, sanitary condition. Protocols to prevent the spread of mold are strictly followed.

## 3.0 Processing Practices

Plants will be harvested one at a time using hand shears and taken into the multi-use shed where they will be dried and cured. All processing will be performed by a 3<sup>rd</sup> party processing company.

All work surfaces and equipment are maintained in a clean, sanitary condition. Protocols to prevent the spread of mold are strictly followed. The final cannabis product is stored in a secure location.

All cultivation related waste is stored in watertight trash containers in the Nutrients Shed and disposed of weekly.

The Applicant will be utilizing any Track and Trace program the County seeks to implement, abiding by all appropriate record keeping practices.



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## Site Plan Overview and Cultivation and Operations Plan

### Applicant

Ghost Ship Enterprises, LLC

1041 F Street

Arcata, CA 95521

Parcel: 316-071-004

### Agent

Kaylie Saxon

Green Road Consulting

1650 Central Avenue, Suite C

McKinleyville, CA 95519

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## I. Site Plan Overview

### 1.0 Project Information

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The Applicant is sourcing water for the cultivation from a permitted, confined aquifer well. There are four (4) 3,000-gallon and eight (8) 5,000-gallon HDPE water tanks that total 52,000 gallons of water storage that is filled from the well. Irrigation will be completed by a timed, metered drip irrigation system. The Applicant estimates their annual water usage to be 346,500 gallons.

There are two (2) buildings on site that are used for cultivation related activities and may require permitting with the Humboldt County Building Department. The mixed light cultivation occurs in a total of seventeen (17) existing greenhouses. The Applicant currently does not have any power or lighting to any greenhouses, but is applying for mixed light cultivation to preserve the ability to do so in the future.

The Applicant is currently anticipating two (2) harvests from their mixed light cultivation areas and one (1) harvest from their outdoor cultivation areas. There will not be any employees used for any cultivation related activities. The Applicant will be using a 3<sup>rd</sup> party processing company.

This application is submitted through his agent, Kaylie Saxon of Green Road Consulting, Inc., and has been prepared in accordance with Humboldt County's ("County") Commercial Medical Marijuana Land Use Ordinance ("CMMLUO").

The Type 3 and Type 3B Use Permit would achieve the following results for the Applicant:

- a. Permit 25,842 square feet of Outdoor commercial cannabis cultivation activities that were in existence prior to January 1, 2016, in compliance with the County CMMLUO;
- b. Permit 22,000 square feet of Mixed Light commercial cannabis cultivation activities that were in existence prior to January 1, 2016, in compliance with the County CMMLUO; and
- c. Comply with applicable standards for water quality maintenance and watershed protection through the Waiver of Waste Discharge requirements of the North Coast Regional Water Quality Control Board ("Water Board") and California Department of Fish and Wildlife ("Fish and Wildlife").

### 2.0 Project Location

The Applicant's Parcel is located in the inland zone of Humboldt County near Willow Creek, CA. The Parcel is comprised of 562-acres and is identified by Assessor's Parcel Number ("APN") 316-071-004. The street address for this Parcel is 33818 St. Hwy 299, Willow Creek, CA 95573.

### 2.1 Zoning Classification

The County's Zoning Classification of the Parcel is TPZ with a Current General Plan of T (FRWK). The CMMLUO permits existing Outdoor commercial cannabis cultivation on land

zoned as TPZ with cultivation sites between 10,000 square feet and 43,560 square feet with a Type 3 Use Permit and existing Mixed Light commercial cannabis cultivation on land zoned as TPZ with cultivation sites between 10,000 square feet and 22,000 square feet with a Type 3B Use Permit.

## **2.2 Site Topography**

A map of the Parcel's topography is included as Attachment "A."

## **3.0 Easements**

The following information is taken from Exhibit "A" of the recorded Grant Deed, a copy of which is included in the Evidence of Ownership and Authorization section of this Application.

"THE LAND REFERREED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF HUMBOLDT, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

### **TRACT A**

Entire Section 16, Township 6 North, Range 4 East, Humboldt Meridian.

EXCEPTING from said Section 16, the following:

- a.) That portion thereof conveyed to the State of California by deed recorded June 10, 1955, in Book 343 of Official Records, page 326.
- b.) All oil, hydrocarbon substances and minerals of all kinds, in and under said land, together with the right to enter thereon and use all existing roads for the purpose of exploration and development thereof, as excepted in the Deed from Sam Beer, et al, to Mutual Plywood Corporation, recorded November 4, 1957, as Recorder's File No. 16285.
- c.) That portion thereof conveyed to the State of California by Deed recorded November 18, 1996, in Book 904 of Official Records, page 18.
- d.) That portion thereof conveyed to the State of California by Deed recorded December 8, 1966, in Book 905 of Official Records, page 612.
- e.) That portion thereof conveyed to the State of California by Deed recorded October 18, 1983, in book 1716 of Official Records, page 149.

Said Section 16 being the Township 6 North, Range 4 East, Humboldt Meridian, according to the Official Plat of said land."

## **4.0 Natural Waterways**

There are twenty-seven (27) Class III Drainages, six (6) Class II Watercourses and one (1) Class I watercourse (Ruby Creek) that cross the parcel.

## **5.0 Location and Area of Existing Cultivation**

The 25,842 square feet of Outdoor cannabis cultivation occurs in two (2) general locations on the parcel and the 22,000 square feet of Mixed Light cultivation occurs in three (3) general locations on the parcel. Onsite relocation is not a part of the Applicant's plan.

## **Outdoor Cultivation**

### **Cultivation Area #1**

Cultivation Area #1 is located in the southwestern section of the parcel. It consists of approximately 16,000 square feet of outdoor cannabis cultivation.

### **Cultivation Area #1**

Cultivation Area #2 is located in the southwestern section of the parcel. It consists of approximately 2,000 square feet of outdoor cannabis cultivation.

### **Cultivation Area #1**

Cultivation Area #2 is located in the southern section of the parcel. It consists of approximately 1,920 square feet of outdoor cannabis cultivation.

## **Mixed Light**

### **Greenhouses #1/#2**

Greenhouse#1/#2 are in the northwestern section of the parcel on a graded flat that was created by the timber company. The greenhouses are 20'x50' (1,000 square feet) totaling 2,000 square feet of cultivation.

### **Greenhouses #3 - #4**

Greenhouse#3/#4 are in the northwestern section of the parcel on a graded flat that was created by the timber company. The greenhouses are 20'x70' (1,400 square feet) totaling 2,800 square feet of cultivation.

### **Greenhouses #5/#6**

Greenhouse#5/#6 are in the northwestern section of the parcel on a graded flat that was created by the timber company. The greenhouses are 20'x80' (1,600 square feet) totaling 3,200 square feet of cultivation.

### **Greenhouses #7/#8**

Greenhouse#7/#8 are in the northwestern section of the parcel on a graded flat that was created by the timber company. The greenhouses are 20'x85' (1,700 square feet) totaling 3,400 square feet of cultivation.

### **Greenhouses #9**

Greenhouse#9 is in the central northwestern section of the parcel on a graded flat that was created by the timber company. The greenhouse is 20'x96' (1,920 square feet).

### **Greenhouses #10-#13**

Greenhouse#10-#13 are in the central section of the parcel on a graded flat that was created by the timber company. The greenhouses are 20'x96' (1,920 square feet) totaling 7,680 square feet of cultivation.

Greenhouses #14 - #17

Greenhouse#14-#17 are in the southwestern section of the parcel on a graded flat that was created by the timber company. The greenhouses are 20'x70' (1,400 square feet) totaling 5,600 square feet of cultivation.

Greenhouses have permeable floors and will be covered with blackout tarps during sunset hours, ensuring they abide by the International Dark Sky Associations standards. Tarps will be pulled by hand and will not have any negative effects to the surrounding area or the cannabis.

**6.0 Setbacks of Cultivation Area**

All cultivation is setback from the property line by 100' or more.

**7.0 Access Roads**

The Parcel is located off State Highway 299.

The interior roads are in usable condition. There are eighteen (18) road crossings of surface waters that have been identified. Per the Monitoring and Reporting form, the Stream Crossing Maintenance does not meet the Standard Conditions and have an expected date of compliance of October 2, 2021. A Notification of Lake or Streambed Alteration has been filed for the road crossings of surface waters and included in the Other Permits, Licenses and Documents section of this Application.

**8.0 Graded Flats**

The Parcel contains several graded flats that were created by the timber company when the parcel was previously logged. They may require permitting with the Humboldt County Building Department.

**9.0 Existing and Proposed Buildings**Multi-Use Shed

The Multi-Use shed is an existing 30'x80' structure that is used for the drying/curing of harvested cannabis and propagation of immature cannabis plants. The Multi-Use Building was constructed in 2016 and will require permitting with the Humboldt County Building Department.

Nutrient Shed

The Nutrient Shed is an existing 16'x20' structure that is used for storing nutrients, fertilizers, cultivation waste, and basic tools. It was constructed in 2012 and will require permitting with the Humboldt County Building Department.

**10.0 Water Source, Storage, Irrigation Plan and Projected Water Usage****10.1 Water Source**

All water used for cultivation is sourced from the permitted, confined aquifer well. There is an additional well used only for domestic purposes.

#### **10.2 Water Storage**

There are eight (8) 5,000-gallon and four (4) 3,000-gallon HDPE water tanks that total 52,000 gallons of hard tank water storage.

#### **10.3 Irrigation Plan**

All irrigation of cannabis is completed by a timed, metered, drip irrigation system preventing any over watering or runoff.

#### **10.4 Projected Water Use**

The amount of water used for the cultivation of cannabis will vary throughout the year, with peak periods of water use occurring during the summer months. The Applicant's cultivation and water use is outlined in the Cultivation and Water Usage Chart, attached as Attachment "B."

All water used for cultivation is sourced from the permitted, confined aquifer well. The Applicant estimates their annual water use to be 346,500 gallons.

#### **11.0 Site Drainage, Runoff, Erosion Control Measures and Watershed Protection**

There are twenty-seven (27) Class III Drainages, six (6) Class II Watercourses and one (1) Class I watercourse (Ruby Creek) that cross the parcel.

The included Monitoring and Reporting form states that the following items do not currently meet the Standard Conditions and will require the remediation outlined in the Water Resource Protection Plan:

- Site Maintenance, Erosion Control and Drainage Features (estimated date of compliance, 10/2021);
- Stream Crossing Maintenance (estimated date of compliance, 10/2021);
- Riparian and Wetland Protection and Management (estimated date of compliance (10/2018);
- Cultivation Related Wastes (estimated date of compliance, 10/2018); and
- Refuse and Human Waste (estimated date of compliance, 10/2020).

The following items do meet the Standard Conditions and will require no remediation:

- Spoils Management;
- Water Storage and Use;
- Irrigation Runoff;
- Fertilizers and Soil Amendments; and
- Petroleum Products and Other Chemicals.

Once the Water Resource Protection Plan is complete, the remediation measures necessary will be outlined in detail.

### **Watershed Protection**

The Applicant will maintain existing, naturally occurring, riparian vegetative cover in aquatic habitat areas for streambank stabilization, erosion control, stream shading, and temperature control, sediment and chemical filtration, aquatic life support, wildlife support, and to minimize waste discharge.

The Applicant will respect all water course buffers.

The Applicant's WDID number is 1B161626CHUM.

### **12.0 Distances from Significant Landmarks**

There are no schools, school bus stops, state parks, places of worship or Tribal Cultural Resources within 600 feet of the cultivation site.

## **II. Cultivation and Operations Plan**

### **1.0 Materials Storage**

Currently, there are no pesticides or herbicides registered specifically for use directly on cannabis. The Applicant will be using items that were accepted under Legal Pest Management Practices for Marijuana Growers in California.

All fertilizers and amendments are located in the Nutrients Shed on the Parcel. Fertilizers and amendments are placed on the shelves and floor where any spill will be contained. All labels are kept and directions are followed when nutrients are applied. The storage area is in need of posted instructions for storing fertilizers and amendments, instructions for cleaning up spills and a spill kit that contains a container, gloves, towels, absorbent socks and an absorbent material (kitty litter).

The use of Native Soil versus Imported soil for a cannabis farm is a decision based on a variety of factors, from soil type, location, cultivation style and climate. The Applicant imports soil (potting soil) for use in their cultivation practices.

Should the soil ever be found no longer viable for cultivation, it is removed and disposed of at an approved waste management facilities green waste center. Should the Applicant utilize a green waste center, they will obtain a receipt and store it within their records.

There is currently no permitted septic onsite. Until the Applicant can permit, design, and install a septic, the Applicant will ensure all those working on the property will have access to serviceable portable toilets.



## 2.0 Cultivation Activities

Cultivation activities typically begin sometime during May when cannabis plants are brought to the Parcel for planting. In the future, the Applicant may install lighting in the greenhouses in order to extend their cultivation season.

The applicant will be pulling tarps over the greenhouses in order to have two (2) harvests of cannabis via light deprivation, sometime in July and October. Tarps will be pulled by hand and will not have any negative effects to the surrounding area or the cannabis. The outdoor cultivation will be harvested in October.

All those working on the property will be instructed in safe and proper techniques for performing any duties pretraining to cultivation. This includes the utilization of personal protective equipment and proper use of tools and necessary instruments required for the performance of one's duties. Personal protective equipment shall be provided for all employees and/or independent contractors via the proponent as well as having ample personal protective equipment in stock and onsite. Clean and safe drinking water will be in the form of filtered spring water. For the safety of the public and employees working while intoxicated will not be tolerated. All Employee and/or independent contractors shall be made aware of the following.

- I. Location of fire extinguishers and the "P.A.S.S" technique.
- II. List of operations manager contacts;
- III. List of emergency control contacts;
- IV. List of poison control contacts;
- V. Location of first aid kit;
- VI. Location of Restroom and hand washing stations;
- VII. Location of clean drinking water and;
- VIII. Location of Personal protective equipment.

All work surfaces and equipment are maintained in a clean, sanitary condition. Protocols to prevent the spread of mold are strictly followed.

## 3.0 Processing Practices

Plants will be harvested one at a time using hand shears and taken into the multi-use shed where they will be dried and cured. All processing will be performed by a 3<sup>rd</sup> party processing company.

All work surfaces and equipment are maintained in a clean, sanitary condition. Protocols to prevent the spread of mold are strictly followed. The final cannabis product is stored in a secure location.

All cultivation related waste is stored in watertight trash containers in the Nutrients Shed and disposed of weekly.

The Applicant will be utilizing any Track and Trace program the County seeks to implement, abiding by all appropriate record keeping practices.

#### 4.0 Security Measures

The access to the parcel is gated and locked. There are game cameras placed over the gate, buildings and cultivation areas. The parcel also has cell service should emergency personnel need to be reached.



Humboldt County Planning Department  
3015 H Street  
Eureka, CA 95501

**RE: Ghost Ship Investments LLC – Humboldt County, PLN-11281 – APN: 316-071-004**

December 9<sup>th</sup>, 2021

To Whom It May Concern:

The following information should be added to the Cultivation and Operations Plan for Ghost Ship Investments LLC, PLN-11281, APN: 316-071-004.

**Cultivation Area**

\*This application is for 25,842 square feet of outdoor cultivation and 22,000 square feet of mixed light cultivation.

**Mixed Light Cultivation**

**Greenhouse 1**

Greenhouse 1 is a 89'x34' greenhouse structure (3,025ft<sup>2</sup> total).

**Greenhouse 2**

Greenhouse 2 is a 101'x20' greenhouse structure (2,020 ft<sup>2</sup> total).

**Greenhouse 3**

Greenhouse 3 is a 89'x34' greenhouse structure (3,026 ft<sup>2</sup> total).

**Greenhouse 4**

Greenhouse 4 is a 96'x20' greenhouse structure (1,920 ft<sup>2</sup> total).

**Greenhouse 5**

Greenhouse 5 is a 100'x24' greenhouse structure (2,400 ft<sup>2</sup> total).

**Greenhouse 6**

Greenhouse 6 is a 84'x34' greenhouse structure (2,856 ft<sup>2</sup> total).

**Greenhouse 7**

Greenhouse 7 is a 106'x24' greenhouse structure (2,544 ft<sup>2</sup> total).

Greenhouse 8

Greenhouse 8 is a 110'x20' greenhouse structure (2,200 ft<sup>2</sup> total).

Greenhouse 13

Greenhouse 13 is a 65'x10' greenhouse structure (650 ft<sup>2</sup> total).

Greenhouse 14

Greenhouse 14 is a 65'x10' greenhouse structure (650 ft<sup>2</sup> total).

Greenhouse 15

Greenhouse 15 is a 65'x10' greenhouse structure (650 ft<sup>2</sup> total).

**Outdoor Cultivation (Light Deprivation & Full-Term)**

Greenhouse 9

Greenhouse 9 is a 74'x34' greenhouse structure (2,516 ft<sup>2</sup> total).

Greenhouse 10

Greenhouse 10 is a 73'x34' greenhouse structure (2,482 ft<sup>2</sup> total).

Greenhouse 11

Greenhouse 11 is a 100'x34' greenhouse structure (3,400 ft<sup>2</sup> total).

Greenhouse 12

Greenhouse 12 is a 100'x34' greenhouse structure (3,400 ft<sup>2</sup> total).

Cultivation Area 1

Cultivation Area 1 is a 50'x25' outdoor bed (1,250 ft<sup>2</sup> total).

Cultivation Area 2

Cultivation Area 2 is a 100'x25' outdoor bed (2,500 ft<sup>2</sup> total).

Cultivation Area 3

Cultivation Area 3 is a 70'x10' outdoor bed (700 ft<sup>2</sup> total).

Cultivation Area 4

Cultivation Area 4 is a 35x15' outdoor bed (525 ft<sup>2</sup> total).

Cultivation Area 5

Cultivation Area 5 is a 120x8' outdoor bed (960 ft<sup>2</sup> total).

Cultivation Area 6

Cultivation Area 6 is a 107x75' outdoor bed (58,025 ft<sup>2</sup> total).

**Immature Plant Area**

\*The Applicant has a total of 4,777 square feet of immature plant area.

Nursery 1

Nursery 1 is a 66'x30' hoop house structure (1,980 ft<sup>2</sup> total).

Nursery 2

Nursery 2 is a 58'x34' hoop house structure (1,972 ft<sup>2</sup> total).

Nursery 3

Nursery 3 is a 33'x25' hoop house structure (825 ft<sup>2</sup> total).



Humboldt County Planning Department  
3015 H Street  
Eureka, CA 95501

***RE: Ghost Ship Investments LLC – Humboldt County, PLN-11281 – APN: 316-071-004***

November 8<sup>th</sup>, 2022

To Whom It May Concern:

The following information should be added to the Cultivation and Operations Plan for Ghost Ship Investments LLC, PLN-11281, APN: 316-071-004.

**Power Source Information**

Power is provided by four (5) generators and PG&E is used for the Well Pump. The four (4) generators comprise of four (4) 3KW Honda generators, and one (1) 3.6KW Self-Priming GX160 Honda water pump.





CULTIVATION INFORMATION

MIXED LIGHT CULTIVATION AREA

GH	SIZE	SQ FT
1	20 X 50	1,000
2	20 X 50	1,000
3	20 X 70	1,400
4	20 X 70	1,400
5	20 X 80	1,600
6	20 X 80	1,600
7	20 X 85	1,700
8	20 X 85	1,700
9	20 X 96	1,920
10	20 X 96	1,920
11	20 X 96	1,920
12	20 X 96	1,920
13	20 X 96	1,920
14	20 X 70	1,400
15	20 X 70	1,400
16	20 X 70	1,400
17	20 X 70	1,400

TOTAL MIXED LIGHT CULTIVATION AREA = 21,000 SQ FT

CULTIVATION BUILDINGS AND USE

BUILDINGS	USE
MULTI USE SHED	PROPAGATION/DRYING/PRODUCT STORAGE
NUTRIENT SHED	NUTRIENT/TOOL STORAGE

DOMESTIC BUILDINGS AND USE

BUILDINGS	USE
CABIN	PLACE OF LIVING

WATER STORAGE AND USE

TYPE	DATE OF INSTALLATION	QUANTITY	GALLONS	TOTAL GALLONS
HOPPE TANK	2015	1	3,000	3,000
HOPPE TANK	2015	1	3,000	3,000
HOPPE TANK	2015	8	5,000	40,000
HOPPE TANK	2015	2	3,000	6,000

WATER SOURCE

TYPE	LAT/LONG
WELL	40.8082, -123.7333

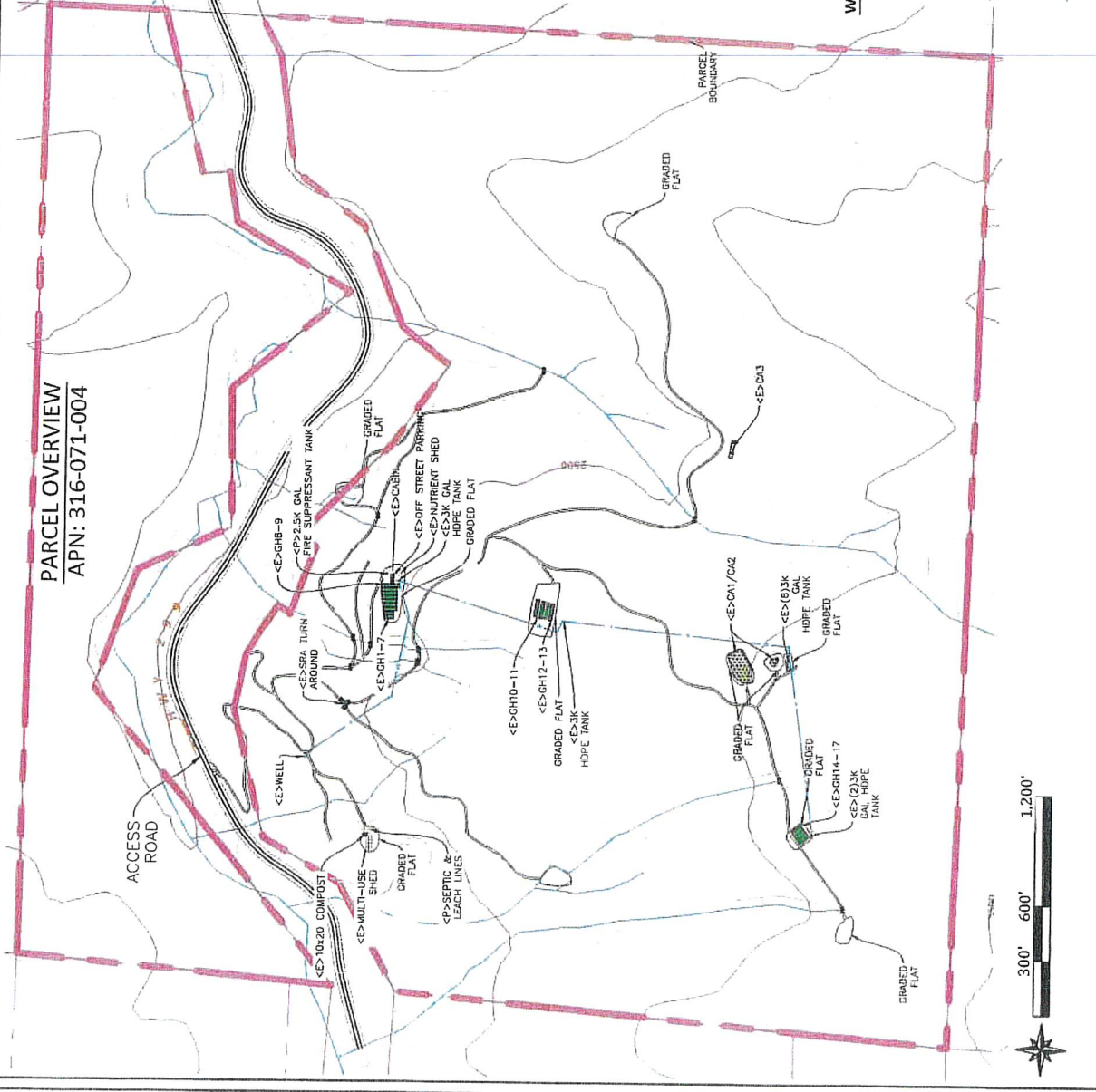
POWER SOURCE

2,000W HONDA GENERATOR
3,000W PORTABLE SOLAR GENERATOR

LEGEND

CLASS II STREAM WITH REQUIRED 100 FT BUFFER

CLASS II STREAM WITH REQUIRED 50 FT BUFFER



11291

11281

# R & F INVESTMENTS, LLC.

APN: 316-071-04

## VICINITY MAP

NOT TO SCALE

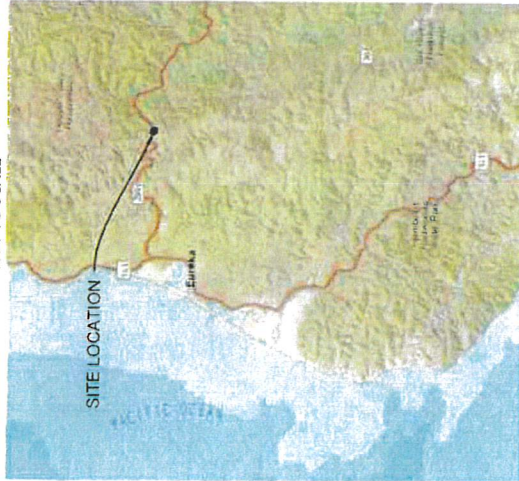


IMAGE SOURCE: ESRI 2018

## PROJECT DIRECTIONS

FROM: EUREKA, CA

- CONTINUE ONTO US-101 N/MICHAEL J. BURNS MEMORIAL FWY (7.2 MI)
- TAKE EXIT 716A FOR CA-299 TOWARD WEAVERVILLE/REDDING (0.2 MI)
- CONTINUE ONTO CA-299 E (30.5 MI)
- TURN RIGHT (0.8 MI)

DESTINATION WILL BE ON THE RIGHT

## TRAVEL TIME

APPROXIMATELY: 44 MIN (40 MI)

## SHEET INDEX

CP-COVER PAGE

PO-PARCEL OVERVIEW

## AERIAL MAP



IMAGE SOURCE: BING 2018

PROPERTY LINES AND BUILDING LOCATIONS  
ARE APPROXIMATE AND BASED ON AERIAL  
MAPS AND GPS DATA TAKEN IN THE FIELD.

GREEN  
ROAD  
CONSULTING



## PROJECT INFORMATION

R & F INVESTMENTS, LLC

APN: 316-071-04

COVER PAGE

PROPERTY OWNER

ADDRESS

T INFO

REVISIONS

NO. NOTES DATE

DATE 1/24/20  
DRAFTER  
SCALE AS SHOWN  
SHEET

CP