

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

**Resolution Number: 23-091**

**Record Number: PLN-11167-CUP**

**Assessor's Parcel Number: 522-026-007-000**

**Resolution by the Planning Commission of the County of Humboldt certifying compliance with the California Environmental Quality Act and conditionally approves the Aloha Top Shelf LLC Conditional Use Permit.**

**WHEREAS**, Aloha Top Shelf LLC, submitted an application and evidence in support of approving a Conditional Use Permit for 35,000 square feet of existing outdoor commercial cannabis cultivation; 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 Section 15162(c) of CEQA Guidelines; and

**WHEREAS**, the Humboldt County Planning Commission held a duly-noticed public hearing on October, 19 2023 and reviewed, considered, and discussed the application for the 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 35,000 square feet of outdoor commercial cannabis cultivation, with 3,450 square feet of ancillary propagation. Light-deprived cultivation will occur in eighteen (18) greenhouses totaling 35,000 square feet (SF). The cultivation greenhouses are located on Site 1 as shown in the Site Plan and Addendum and will consist of metal tubing covered with a woven poly translucent opaque tarp. Light deprivation will be used to produce up to two (2) flowering harvests per year; one in early July, and another in October. The 3448.8 (SF) propagation area consists of three greenhouses located at Site 2. The project includes the proposed construction of a 40' X 60' drying structure that will be permitted with the Humboldt County Building Department. This structure will replace several temporary structures that were used historically to dry and process cannabis. Trimming will be done off-site at a licensed processing facility. Two 8' x 40' storage containers are currently used for storage of equipment, fertilizers, and pesticides. The project uses solar panels to power the pumps, fans and associated electrical equipment. No generators are used in the day-to-day operations of the project.

**EVIDENCE:** a) Project File: PLN-11167-CUP

**2. FINDING:**

**CEQA.** The requirements of the California Environmental Quality Act have been complied with. The Humboldt County Planning Commission has considered the adopted 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 has considered the Addendum to the MND that was prepared for the Aloha Top Shelf, LLC. project.

**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 project has been designed and conditioned such that surface water resources will not be impacted by water use for cannabis cultivation. A Water Resource Protection Plan was prepared for

the project by Timberland Resource Consultants. The implementation of this plan and the creation and implementation of a Site Management Plan are conditions of project approval. Conditions of approval require the applicant to adhere to and implement the recommendations of the SMP and maintain enrollment in the State Cannabis Cultivation Policy for the life of the project.

- d) No Lake or Stream Bed Alteration Agreement (LSAA) was determined to be needed from the California Department of Fish and Wildlife (CDFW) on February 8, 2019.
- e) A Biological Assessment Report was prepared for the project by Hohman and Associates Forestry Consultants in September 2023 (Attachment 4K). The nearest spotted owl activity center is approximately 1.08 miles west of the project site and additional owl activity centers are further from the project site in all directions; the nearest critical NSO habitat is located .73 to the northeast of the cultivation site. The nearest identified Marbled Murrelet habitat is located .78 Miles to the northeast. The Biological Assessment concluded that the exiting cultivation operation poses a less than significant potential impact on threatened and endangered plant and animal species, however if activities are conducted that will disturb native vegetation extensive surveying should be conducted prior to such disturbances. No Generators are used to supply power to the cultivation area/nursery and processing facility, but if they are used for emergency purposes generators will be shielded to not exceed 50 decibels at tree lines or potential habitat areas. Based on the manufacturer's noise ratings for the proposed generators, noise levels are not expected to exceed the thresholds listed above. The project is conditioned to ensure that generator or other operational equipment created noise meets the noise level threshold. Conformance will be evaluated using current auditory disturbance guidance prepared by the United States Fish and Wildlife Service. Artificial lighting may also be utilized for ancillary propagation. The project is conditioned such that combined noise generated from generators shall not exceed 50 decibels (dB) at 100 feet from the generator or at the edge of the nearest forest habitat, whichever is closer, as required by Section 314-55.4.11(o) Humboldt County Code. Additionally, conditions of approval require the applicant to submit a revised 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), how the size of the generator is reasonable based on the power demand, and how the operation will transition to use of 80% renewable energy (e.g., solar, wind, and/or hydropower) sources by the beginning of 2026. Furthermore, the project is conditioned to adhere to International Dark Sky Standards for any supplemental lighting used for cultivation, propagation, and security, refrain from using synthetic netting, ensure refuse is contained in wildlife-proof storage, and refrain from using anticoagulant rodenticides to further protect wildlife. As proposed and conditioned, the project is consistent with CMMLUO performance and will not negatively impact NSO or other sensitive species.

- f) The project was referred to the Northwest Information Center and the Hoopa Valley Tribe. Both responded requesting that a cultural resource survey be conducted for the property's area of potential effect. A Cultural Resources Inventory Report (CRIR) was prepared by Archaeological Research and Supply, RPA (41855166) in May 2018. No cultural resources were observed and recorded because of survey efforts; the report concluded no subsequent investigation was required for the proposed project. It was concluded that there will be no effect to historical, archaeological, or Tribal Cultural Resources, as defined by CEQA with adherence to the recommended conditions of approval. The conditions require that the discovery protocol be followed
- g) As requested by Public Works, a Road Evaluation Report was prepared to the site from Cloud Crossing Road and Old 3 Creeks Road to Highway 299 and that concludes that the 6.8 -mile route leading to the subject parcel is developed to the equivalent of a category 4 road standard, is in good condition, and does not have any evidence of a site-specific safety problem.

#### **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 Timber Production Zone (TPZ) land use designation. The proposed cannabis cultivation, an agricultural product, is within land planned and zoned for agricultural purposes, 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 TPZ zone is applied to areas of the County in which timber production and recreation is the desirable predominant uses and general agriculture is the secondary uses.
  - 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 SF of existing outdoor cannabis and up to 22,000 SF of existing mixed light cannabis cultivation on a parcel over 5 acres subject to approval of a Conditional Use Permit and a determination that the cultivation was in existence prior to January 1, 2016. The application is for 35,000 SF of outdoor cultivation on a parcel 212-acres in size.

**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 (Section 314-55.4.8.2.2).
  - b) The parcel was created in compliance with all applicable state and local subdivision regulations, a Notice of Lot Line Adjustment and COSC was issued in 2013, Document Number 2013-32534.
  - c) Water for irrigation will be provided by two permitted wells. A well evaluation determined that there was little likelihood of significant hydrological connection between the well and surface water resources. The project has developed enough water storage to serve at least 50% of the total annual water budget for the cultivation operation though the May 15th to October 31<sup>st</sup> forbearance period.
  - d) The applicant submitted a Road Evaluation Report on December 11, 2017. The report states that the entire road segment is developed to the equivalent of road category 4 standard. A subsequent addendum to the road evaluation confirmed this.

- e) The cultivation of cannabis will not result in the net conversion of timberland.
- f) The location of the cultivation complies with all setbacks required in Section 314-55.4.11.d. It is more than 30 feet from any property line and more than 600 feet from any school, church, public park or Tribal Cultural Resource.

**6. FINDING:**

The cultivation of 35,000 square feet of outdoor cannabis cultivation with ancillary propagation 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 Cloud Crossing Road, a privately maintained road. The Road Evaluation Report concluded that the entire road segment is developed to the functional equivalent of a road category 4 standard and has been found 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) Irrigation water will come from two groundwater wells that have been permitted by the Division of Environmental Health.
- 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.

**7. 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 in the Lower Trinity River 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 59 cultivation permits and the total approved acres would be 26.61 acres of cultivation. If all the supply Creek projects on the agenda were to be approved there would be a total of 73 permits and 34 acres of cultivation.

**8. 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 does have the potential to support one housing unit. The approval of cannabis cultivation on this parcel will not conflict with the ability for a residence to be constructed on this parcel.

## 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 Aloha Top Shelf LLC., based upon the Findings and Evidence and subject to the conditions of approval attached hereto as Attachment 1A and incorporated herein by reference.

Adopted after review and consideration of all the evidence on **October 19, 2023**.

The motion was made by COMMISSIONER Thomas Mulder and second by COMMISSIONER Iver Skavdal and the following ROLL CALL vote:

AYES: COMMISSIONERS: Iver Skavdal, Thomas Mulder, Noah Levy  
NOES: COMMISSIONERS: Brian Mitchell, Peggy O'Neill  
ABSENT: COMMISSIONERS: Sarah West, Lonyx Landry  
ABSTAIN: COMMISSIONERS:  
DECISION: Motion carries 3/2

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 SPECIAL PERMIT IS CONDITIONED ON THE FOLLOWING TERMS AND REQUIREMENTS.

#### **A. Conditions which must be satisfied before the provisional cannabis cultivation permit can be finalized and no longer considered provisional (unless otherwise indicated).**

1. 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 for all conditions described under Conditions of Approval A2 through A14. All activities described in 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.
2. The permittee shall obtain grading permits for all existing, unpermitted grading associated with the cannabis operation.
3. No later than January 1, 2026, the permittee will develop and fully implement an alternative renewable energy (i.e., solar, wind, micro-hydro) plan for electricity serving the cannabis operation such that generator use may be reserved for emergency use only. The applicant shall submit a revised 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), how the size of the generator is reasonable based on the power demand, and how the operation will transition to use of 100% renewable energy (e.g., solar, wind, and/or hydropower) sources by January 1, 2026.
4. Within two years of the effective date of the permit the applicant shall implement the Remediation Plan prepared by Northpoint Consulting (Attachment F to the Staff Report). The plan recommends addresses four areas of concern regarding erosion and watercourse impacts. One concern has been addressed. The Remediation Plan shall be available to County Staff as part of the annual conformance review.
5. Within 60 days of project approval, 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 and Building Department.
6. 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 the applicant is responsible for this cost to the project.
7. 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.
8. 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 to keep the permit valid.

9. 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. 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.
10. 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.
11. The applicant shall install and utilize a water meter on all irrigation sources 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 irrigation infrastructure described in the Operations Plan. The applicant will maintain logs of water usage and make the logs available upon request. The water meters shall be installed prior to the commencement of cultivation in 2024.
12. Within two years of the permit issuance date, the applicant must obtain a permit for and install an approved Onsite Wastewater Treatment System (OWTS) to support the cultivation areas within two years of permit issuance. Until such OWTS system is permitted and installed, the applicant must confirm the continual use of a portable toilet or provide an approved means of sewage disposal to serve the needs of the cultivation staff. An invoice of equivalent documentation must be provided to the Department as part of the annual compliance inspection.
13. The permittee shall take action to form or join a Road Maintenance Association (RMA) for the maintenance of the private roads that access the project. In the event the applicant is unable to coordinate formation or join an RMA, the permittee shall pay fair-share cost for maintenance of the road to any road user engaged in maintaining the roads.
14. The permittee shall obtain a will serve letter from the Fire Protection District OR 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.



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

1. 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, ground-stone 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.
2. The combination of background, generator and greenhouse fan 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. 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.
3. All artificial lighting shall be fully contained within structures such that no light escapes (e.g., through blackout curtains). Structures shall be shielded 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. 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 with a color temperature of 3000 kelvins or less and 3) only placed where needed.
4. Should the Humboldt County Planning Division receive complaints that lighting or noise is not complying with the standards listed above in this permit, within ten (10) working days of receiving written notification that a complaint has been filed, the applicant shall submit written verification that the light shielding and alignment, and noise levels have been repaired, inspected, and corrected as necessary.
5. The use of monofilament netting for all uses, including but not limited for erosion control, shall be prohibited. Geotextiles, fiber rolls, and other erosion control measure materials shall be made of loose-weave mesh, such as jute, hemp, coconut (coir) fiber, or other products without welded weaves to minimize the risk of ensnaring and strangling wildlife.



6. All refuse shall be contained in wildlife proof containers, always, and relocated to an authorized waste management facility, in compliance with State and local laws, on a regular and on-going basis.
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, if applicable.
10. All components of the project shall be developed, operated, and maintained in conformance with the Project Description, the approved Site Plan, the Plan of Operations, the CMMLUO, and these conditions of approval.
11. 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.
12. 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.
13. 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).
14. Applicant must develop, adhere to, and implement an approved Site Management Plan. A copy of the reporting form portion of the Mitigation and Reporting Program (MRP) shall be submitted to the Planning and Building Department upon request.
15. Applicant must demonstrate and maintain enrollment in Tier 1 or 2 in accordance with State Water Resources Control Board Order No. WQ 2019-0001-DWQ, or any substantially

equivalent rule that may be subsequently adopted by the County of Humboldt or other responsible agency.

16. Comply with the terms of any applicable Lake and Stream Alteration (1600 or 1602) Permit obtained from the California Department of Fish and Wildlife (CDFW) if applicable.
17. 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. The applicant shall have a fire suppression tank with a minimum of 2,500-gallon capacity. The designated fire suppression tank shall have the appropriate fire hose that meets CalFire SRA requirements.
18. 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).
19. Refrain from the improper storage or use of any fuels, fertilizer, pesticide, fungicide, rodenticide, or herbicide.
20. Pay all applicable application, review for conformance with conditions and annual inspection fees.
21. 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.
22. The master logbooks maintained by the applicant to track production and sales shall be maintained for inspection by the County.
23. Pay all applicable taxes as required by the Humboldt County Commercial Marijuana Cultivation Tax Ordinance (Humboldt County Code Section 719-1 et seq.).

#### Performance Standards for Cultivation and Processing Operations

24. Pursuant to Business and Professions Code section 26051.5(a)(8), 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."
25. 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).
26. 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.
27. 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.
28. 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

29. Term of Commercial Cannabis Activity Permit. Any Commercial Cannabis Cultivation permit issued pursuant to the CMMLUO or CCLUO 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.
30. Inspections. 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 the permit holder has cured all issues of noncompliance. Failure to request reinspection or to cure any items of noncompliance shall terminate the Permit, immediately upon the expiration of any appeal period, or final determination of the appeal if an appeal has been timely filed.

The permit holder and subject property owner are to allow 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.

31. 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.
32. 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.
33. 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

- e. Execution of an Affidavit of Non-diversion of Medical Cannabis.

**Informational Notes:**

1. 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 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.



**ALOHA TOP SHELF, LLC  
CULTIVATION AND OPERATIONS MANUAL  
HUMBOLDT COUNTY, CA**

---

**COMMERCIAL CANNABIS  
CULTIVATION FACILITIES**

PREPARED FOR:



**Revised August 2021**

**Cultivation and Operations Manual  
For  
Aloha Top Shelf, LLC**

**Proposed Medical Cannabis Cultivation Facilities**

---

Lead Agency:

***Humboldt County Planning Department***  
3015 H Street  
Eureka, CA 95501

Prepared By:



1117 Samoa Blvd.  
Arcata, CA 95521  
(707)798-6438

In Consultation with:

**Aloha Top Shelf, LLC**  
P.O. Box 1643  
Willow Creek, Ca 95573

August 2021



## OPERATIONS MANUAL

ALOHA TOP SHELF, LLC

---

### **TABLE OF CONTENTS**

1. PROJECT SUMMARY .....	1-1
1.1. Project Objective .....	1-1
1.2. Site Description.....	1-1
1.3. Land Use .....	1-1
1.4. State and Local Compliance.....	1-1
2. CULTIVATION AND PROCESSING .....	2-2
2.1. Nursery Propagation and Initial Transplant.....	2-2
2.2. Outdoor Cultivation Plan and Schedule .....	2-2
2.3. Irrigation Plan and Schedule.....	2-3
2.4. Harvesting, Drying, and Trimming .....	2-3
2.5. Employee Plan .....	2-3
2.6. Security Plan and Hours of Operation .....	2-4
3. ENVIRONMENT .....	3-4
3.1. Water Source and Projected Water Use .....	3-4
3.2. Water Storage.....	3-4
3.3. Site Drainage, Runoff, and Erosion Control.....	3-5
3.4. Watershed and Habitat Protection .....	3-5
3.5. Monitoring and Reporting .....	3-5
3.6. Energy and Generator Use .....	3-5
3.7. Use and Storage of Regulated Products .....	3-6
3.8. Waste Management Plan .....	3-6
4. PRODUCT MANAGEMENT .....	4-7
4.1. Product Testing and Labeling .....	4-7
4.2. Product Inventory and Tracking .....	4-7
4.3. Transportation and Distribution.....	4-7

Appendix A: Site Plan

Appendix B: References

---

## 1. PROJECT SUMMARY

### 1.1. PROJECT OBJECTIVE

Aloha Top Shelf, LLC is proposing to permit existing cannabis cultivation activities in accordance with the County of Humboldt's (County) *Commercial Medical Marijuana Land Use Ordinance* (CMMLUO). The project requires a Conditional Use Permit for approximately 34,500 square feet (sf) of outdoor cannabis cultivation. The project includes the permitting of existing and proposed facilities appurtenant to the cultivation including, greenhouses, an ancillary nursery, and a proposed cultivation facility for drying and curing. Trimming would occur off-site; water is proposed to be sourced from a permitted groundwater well and a second proposed groundwater well. The applicant aims to become fully compliant with State and Local cultivation regulations.

### 1.2. SITE DESCRIPTION

The Project is located at parcel number APN 522-026-007 just northwest of the community of Willow Creek at latitude of 40.9792 and longitude of -123.7583. The subject parcel is approximately 212 acres in size (per the County of Humboldt's WebGIS). The parcel is on a ridge at an elevation at 3,900 feet and drains to the east. The site has a rugged landscape that host dense hardwood forest intermixed with oak and other species. Development has taken place in the north-west corner of the parcel and the southwest.

### 1.3. LAND USE

The subject property has a General Plan designation of Timber as identified by the Humboldt County General Plan and is zoned Timber Production Zone (TPZ). The surrounding parcels are zoned Agricultural Exclusive (AE), and Timber Production Zone (TPZ).

### 1.4. STATE AND LOCAL COMPLIANCE

#### 1.4.1. STATE OF CALIFORNIA COMMERCIAL CANNABIS ACTIVITY LICENSE

The applicant holds commercial cannabis activity licenses from the Department of Cannabis Control.

#### 1.4.2. STATE WATER RESOURCES CONTROL BOARD

The water source for the project will be supplied by a permitted groundwater well (permit # 11/12-0972) through the Humboldt County Division of Environmental Health and a proposed groundwater well, if deemed hydrologically disconnected from surface waters. No diversion of surface waters is proposed, and accordingly the filing of water rights with the State of California Water Resources Control Board is not required for the project.

#### 1.4.3. NORTH COAST REGIONAL WATER QUALITY CONTROL BOARD

The former property owner was previously enrolled with the North Coast Regional Water Quality Control Board (NCRWQCB) for coverage under Tier 2 of Order No. 2015-0023 *Waiver of Waste Discharge Requirements and General Water Quality Certification for Discharges of Waste Resulting from Cannabis Cultivation and Associated Activities or Operations with Similar Environmental Effects in the North Coast Region* (WDID Number 180102111205TRC105). A Water Resources Protection Plan was developed for the project by Timberland Resources Consultants, a third party approved program for NCRWQB, and has been implemented for activities associated with onsite cultivation.

Aloha Top Shelf, LLC transitioned to coverage under the State Water Resources Control Board General Order WQ 2019-0001-DWQ *General Waste Discharge Requirements and Waiver of Discharge Requirements for Dischargers of Waste Associated with Cannabis Cultivation Activities*. The transition

occurred prior to July 1, 2019. Additionally, a Site Management Plan was developed by NorthPoint Consulting and has been furnished to the North Coast Regional Water Quality Control Board (WDID 1\_12CC418792).

#### **1.4.4. HUMBOLDT COUNTY BUILDING DEPARTMENT**

All necessary building permits will be obtained from the Humboldt County Building Department for all existing and proposed structures and supporting infrastructure upon approval of the Conditional Use Permit.

#### **1.4.5. CAL FIRE**

A 3-acre conversion was completed in 2013 with exemption number 1-13EX-066-HUM. The subject property is located within a State Responsibility Area (SRA) for fire protection. Several improvements are proposed in order to meet SRA requirements, including designating a fire turn-around and pull-out area for emergency vehicles, and management of trees and vegetation around existing structures to maintain the required 100-foot defensible space. All structures on the property meet the 30-foot SRA setback requirement from property lines. If required by Cal Fire, a 2,500-gallon water tank with a riser to SRA specifications will be installed in addition to the hydrant.

#### **1.4.6. CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE**

The applicant has submitted a non-jurisdictional items notification to California Department of Fish and Wildlife (CDFW). If required, the applicant will submit the proposed groundwater well to CDFW for review. If CDFW deems the well as jurisdictional, the applicant proposed to build out storage to meet forbearance restrictions.

#### **1.4.7. CULTURAL RESOURCES**

If buried archaeological or historical resources are encountered during construction or cultivation activities, the applicant or contractor shall call all work in the immediate area to halt temporarily, and a qualified archaeologist is to be contacted to evaluate the materials. Prehistoric materials may include obsidian or chert flakes, tools, locally darkened midden soils, groundstone artifacts, dietary bone, and human burials. If human burial is found during construction, state law requires that the County Coroner be contacted immediately. If the remains are found to be those of a Native American, the California Native American Heritage Commission will then be contacted by the coroner to determine appropriate treatment of the remains. The applicant is ultimately responsible for ensuring compliance with this condition.

## **2. CULTIVATION AND PROCESSING**

### **2.1. NURSERY PROPAGATION AND INITIAL TRANSPLANT**

The proposed 3,450 sf ancillary nursery will allow Aloha Top Shelf, LLC to propagate clones from mother plants or purchase already rooted clones or seeds from a permitted nursery location. Initial planting of clones will occur in 3 1/2" square pots to 1-gallon containers. Seeds are started in 4" pots and transplanted into 3-gallon containers. Plants are kept in the proposed nursery greenhouse. The juvenile plants are irrigated using hand watering methods. After 3-5 weeks, the plants are then transplanted to the raised garden beds in the greenhouses or the outdoor smart pots.

### **2.2. OUTDOOR CULTIVATION PLAN AND SCHEDULE**

Light-deprived cultivation will occur in eighteen (18) greenhouses totaling 34,500 sf. The greenhouse will consist of metal tubing covered with a woven poly translucent opaque tarp. Light deprivation will



be used to produce up to two (2) flowering harvests per year; one in early July, and another in October. The monthly Cultivation Schedule in Appendix C details the cultivation activities associated with the outdoor operation for a typical two cycle year.

### **2.3. IRRIGATION PLAN AND SCHEDULE**

Irrigation and fertigation of plants occurs using a combination of top-feed hand watering methods and drip emitters. Juvenile plants will be hand watered as needed. Aloha Top Shelf, LLC maintains that irrigation and fertigation is more efficiently managed via hand watering, allowing for daily inspection of each plant by the cultivator and tailored irrigation and nutrient application depending on the needs of each individual juvenile plant. Once plants are transplanted into the raised beds or smart parts a pumped watering system is used. Tubing is running the length of the beds with drip emitters placed at the base of the plant. Each emitter delivers the right amount of water directly to the base of the plants. The monthly Cultivation Schedule in Appendix C details the irrigation activities associated with all cultivation.

### **2.4. HARVESTING, DRYING, AND TRIMMING**

Plants that are ready for harvest have their flowering branches removed and suspended in the proposed drying building which are equipped with ventilation fans. Plants are dried using dehumidifiers, and the drying process takes approximately one week, at which time the flowers are bucked into manageable buds and placed in storage bins. The storage bins allow safe transportation to an off-site processing facility. Trimming will be done off-site at a licensed processing facility.

### **2.5. EMPLOYEE PLAN**

Aloha Top Shelf, LLC 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), and complies with all applicable federal, state and local laws and regulations governing California Agricultural Employers.

#### **2.5.1. JOB DESCRIPTIONS AND EMPLOYEE SUMMARY**

- *Agent in Charge*: Responsible for business oversight and management. Responsibilities include, but are not limited to: inventory and tracking, personnel management, record keeping, budget, and liaison with State and County inspectors as needed. This is a part-time to full-time, seasonal position.
- *Lead Cultivator*: Oversight and management of the day to day cultivation of medical cannabis. Responsibilities include, but are not limited to: plant propagation and transplant, soil management, irrigation, fertilization, pesticide management, and harvest activities. This is a part-time to full-time, seasonal position.
- *Assistant Cultivator*: Provides support to the *Lead Cultivator* in their day to day duties and takes the lead role during times when the *Lead Cultivator* may be off site.
- *Seasonal Laborer*: Provides cultivation, harvesting, and processing support including trim machine operation and hand-finish trimming. This is a part-time to full-time, seasonal position.

#### **2.5.2. STAFFING REQUIREMENTS**

In addition to the *Agent in Charge*, *Lead Cultivator*, and *Assistant Cultivator positions*, up to three (3) part-time seasonal labor positions are employed. The number of seasonal laborers varies based on the needs of the farm during the cultivation, harvest and processing seasons. During the peak harvest and processing season, there are an estimated total of six (6) employees on site.

## OPERATIONS MANUAL

ALOHA TOP SHELF, LLC

---

### 2.5.3. EMPLOYEE TRAINING AND SAFETY

On site cultivation, harvesting, and drying or freezing, is performed by employees trained on each aspect of the procedure including: cultivation and harvesting techniques and use of pruning tools; proper application and storage of pesticides and fertilizers; and correct harvesting methods. All cultivation and processing staff are provided with proper hand, eye, body and respiratory Personal Protective Equipment (PPE). Access to the onsite cultivation, drying and processing facilities are limited to authorized and trained staff.

All employees are trained on proper safety procedure including fire safety; use of rubber gloves and respirators; proper hand washing guidelines; and protocol in the event of an emergency. Contact information for the local fire department, CAL FIRE, Humboldt County Sheriff and Poison Control as well as the Agent in Charge will be posted at the employee restroom. Each employee is provided with a written copy of emergency procedures and contact information. The material safety data sheets (MSDS) are kept on site and accessible to employees.

### 2.5.4. TOILET AND HANDWASHING FACILITIES

Portable toilets will be brought on-sites. A handwashing station will be available for employees near the Drying/Storage structure.

## 2.6. SECURITY PLAN AND HOURS OF OPERATION

### 2.6.1. FACILITY SECURITY

The main access road has two gates that are locked at all times. Restricted access signs are posted conspicuously at the entry gates along with security cameras.

### 2.6.2. HOURS OF OPERATION

Activities associated with cultivation in the greenhouses (watering, transplanting, and harvesting) generally occur during daylight hours. All other activities such as processing typically occur no earlier than 8am and extend no later than 8pm.

## 3. ENVIRONMENT

### 3.1. WATER SOURCE AND PROJECTED WATER USE

The water source for the project will be supplied by a permitted groundwater well and a proposed groundwater well, if deemed hydrologically disconnected from surface waters. No diversion of surface waters is proposed. Water for the proposed cannabis activities is projected to be approximately 525,000 gallons annually. The table below outlines the estimated irrigation water usage for cultivation during a typical year. Variables such as weather conditions and specific cannabis strains will have a slight effect on water use.

Table 3.1: Estimated Annual Irrigation Water Usage (Gallons)												
Jan	Feb	Mar	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Total
0	0	0	50,000	70,000	95,000	95,000	95,000	70,000	50,000	0	0	525,000

### 3.2. WATER STORAGE

The applicant currently has an existing groundwater well that will be supplemented by an additional proposed groundwater well. The applicant will properly secure all required well permits for the proposed well and the Well Completion Report will be submitted to the Planning Department once it is completed. If the well is deemed hydrologically connected, the applicant will obtain the proper



permits and adhere to forbearance restrictions. Additionally, if the proposed well is deemed hydrologically connected, the applicant proposes to install additional water storage tanks.

### **3.3. SITE DRAINAGE, RUNOFF, AND EROSION CONTROL**

Aloha Top Shelf, LLC has enrolled for coverage under the General Order (Order No. 2019-0001-DWQ) and a Site Management Plan (SMP) has been developed utilizing best management practices (BMP's) in accordance with Attachment A of the Order. The drainage and erosion control measures described below are referenced from the SMP.

#### **3.3.1. SITE DRAINAGE AND RUNOFF**

Site investigation for the development of the Site Management Plan (SMP) was done by NorthPoint Consulting. Drainage and runoff was addressed in the SMP by identifying areas of the roads that are in need of drainage improvements, including rolling dips, ditch relief culverts, and resurfacing of the road. These corrective actions are to reduce sediment delivery to prevent road drainage from entering the water system on the property.

#### **3.3.2. EROSION CONTROL**

The Site Management Plan (SMP) includes erosion and sediment control BMP's designed to prevent, contain, and reduce sources of sediment. The SMP also includes corrective actions to reduce sediment delivery. Additionally, the SMP requires mulch piles and spoils from any grading to be stored in a designated location away from watercourse.

### **3.4. WATERSHED AND HABITAT PROTECTION**

Adherence to the SMP ensures that the watershed and surrounding habitat are protected. The cultivation activities and associated structures are over 60 feet from the nearest surface waters, an ephemeral Class III drainage which lies upslope of the cultivation area. This setback distance in conjunction with a subgrade location provides a suitable buffer between the cultivation operation and potential habitat. Additionally, site development and maintenance activities utilize BPTC measures in accordance with the State Water Resources Control Board's recommendations. Any grading and earthwork activities will be conducted by a licensed contractor in accordance with approved grading permits and the SMP. Add in something about how to minimize noise from generators.

### **3.5. MONITORING AND REPORTING**

Monitoring will be conducted to confirm the effectiveness of corrective measures listed in the SMP and determine if the site meets all of the BPTC Measures as per Attachment A of the Order. The Site Management Plan provides more details regarding Monitoring and Reporting. New Earth Farms, LLC staff track all water use and maintain accurate records of fertilizer applications. This information will be reported annually to the State Water Resources Control Board by March 1st of each year.

### **3.6. ENERGY AND GENERATOR USE**

Aloha Top Shelf, LLC will limit the use of the generator to an as needed basis following all guidelines set up by Humboldt County and the State of California. The applicant currently has a 3,500-Watt Super Quiet Inverter but intends to transition to solar. The generator will remain on site as backup. Generators will be stored inside the cultivation facility and kept off the ground with the 5-gallon gasoline containers. Secondary containment for spill prevention will be implemented.

### **3.7. USE AND STORAGE OF REGULATED PRODUCTS**

#### **3.7.1. BEST MANAGEMENT PRACTICES**

Best Management Practices (BMP's) are employed when storing, handling, mixing, application and disposal of all fertilizers, pesticides and fungicides. All nutrients, pesticides and fungicides are located in a storage room in the proposed facility, and contained within water tight, locked and labeled containers in accordance with manufactures instruction. Application rates will be tracked and reported with the end of the year monitoring report required in the Water Resources Protection Plan (WRPP). Employees responsible for application are trained to handle, mix, apply or dispose of pesticides/fungicides with proper hand, eye body and respiratory protection in accordance with the manufacturer's recommendations. See the WRPP for complete BMP specifications for the use and storage of regulated products. Compost tea is brewed on site out of a variety of ingredients depending on plant strain, size, and stage of growth.

#### **3.7.2. FERTILIZERS**

Nutrients and biological inoculants used for cultivation and quantity kept on site:

- Green Bicycles Amendments
- Green Bicycles Tea Mix

See Appendix B - *Regulated Products Resource List* for product details.

#### **3.7.3. PESTICIDES AND FUNGICIDES**

Pesticides and fungicides used for cultivation include:

- Bonide
- Bio War
- Tripecta

See Appendix B - *Regulated Products Resource List* for product details.

#### **3.7.4. FUELS AND OILS**

Fuels and oils stored on site include:

- Gasoline -Five to Ten: five (5) gallon canisters

### **3.8. WASTE MANAGEMENT PLAN**

#### **3.8.1. SOLID WASTE MANAGEMENT**

Trash and recycling containers will be located at the proposed drying structure. The containers are situated to prevent storm water contamination and leachate from entering or percolating to receiving waters. With the proposed processing facility, the containers will be enclosed within a fenced area to prevent animal intrusion. Solid waste and recycling is hauled off-site to the proper disposal facility.

#### **3.8.2. CULTIVATION WASTE AND SOIL MANAGEMENT**

Cultivated vegetative matter such as root balls, branches and leaves are composted at a designated area. Spent potting soil is stored in a designated contained and covered area that is lined to prevent any soil erosion or nutrient seepage. Soils are analyzed using industry standard soil testing procedures and after consultation are amended and reused. Any used pots will be collected and stored in a designated storage area for the winter. All packaging from soil amendments and fertilizers will be collected and disposed at an appropriate waste disposal facility.



## 4. PRODUCT MANAGEMENT

### 4.1. PRODUCT TESTING AND LABELING

Once operational, samples will be selected from individual harvested cannabis strains and will be tested by a licensed third-party lab in accordance with State and local standards.

### 4.2. PRODUCT INVENTORY AND TRACKING

Aloha Top Shelf, LLC will enroll in the California Cannabis Track & Trace (CCTT) METRC program and comply with all METRC regulations after a state cultivation license is granted from the California Department of Food and Agriculture

### 4.3. TRANSPORTATION AND DISTRIBUTION

Transportation will be handled by a third-party, contracted, licensed transporter/distributor in accordance with State and Local regulations. All merchantable product will be distributed through licensed medical cannabis dispensaries. Prior to moving packages from the on-site holding facility to another physical location, a transport manifest will be created by the distributor/transporter and will include:

- Product ID numbers and product weight
- Route to be travelled
- Origin and destination addresses
- Time of departure
- Time of arrival

The Agent in Charge and the Processing Manager are responsible for performing a physical inventory of all packages being transported and ensuring that the physical inventory coincides with the transport manifest. Journey Aquarian is enrolled in the California Cannabis Track & Trace (CCTT) METRC program and complies with all METRC regulations.

## **Appendix A: Site Plan**

---



**DIRECTIONS TO SITE:**  
FROM EUREKA, CA  
-NORTHBOUND ON US-101  
(APPROX. 7.1 MILES)  
-TURN LEFT ON CA-299  
(APPROX. 26.6 MILES)  
-TURN LEFT ONTO OLD 3 CREEKS RD  
(APPROX. 0.5 MILES) TO SITE

### VICINITY MAP

NOT TO SCALE

### PROJECT DESCRIPTION:

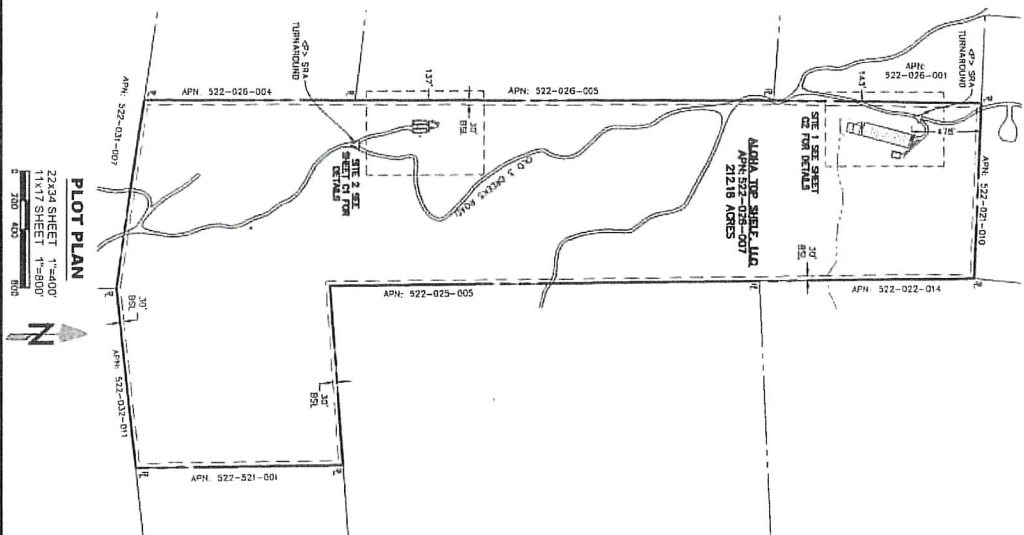
ALOHA TOP SHELF, LLC IS PROPOSING TO PROVIDE EXISTING CANNABIS CULTIVATION ACTIVITIES IN ACCORDANCE WITH THE COUNTY OF HUMBOLDT'S (COUNTY) COMMERCIAL MEDICAL MARLBURIA AND USE ORDINANCE (CMUO). ORDINANCE NO. 2019-001 (ADOPTED 12/17/2019) AND THE COUNTY OF HUMBOLDT'S CANNABIS CULTIVATION ACT (CCO) (ADOPTED 12/17/2019). THE PROJECT PROPOSAL INCLUDES THE DEVELOPMENT OF FACILITIES FOR CANNABIS CULTIVATION, INCLUDING GREENHOUSES, NURSERY, AND A CARETAKERS RESIDENCE.

### GENERAL NOTES:

1. DRAWING SCALE AS NOTED. WRITTEN DIMENSIONS SHALL TAKE PRECEDENCE OVER SCALED DIMENSIONS.
2. THIS IS NOT A BOUNDARY SURVEY. BOUNDARY INFORMATION DERIVED HAS BEEN OBTAINED FROM HUMBOLDT COUNTY RECORDS AND IS NOT A GUARANTEE OF ACCURACY. THE USER NOT VERRIED THIS PROPERTY BOUNDARY.
3. THERE ARE NO NEARBY SCHOOLS, SCHOOL BUS STOPS, PLACES OF WORSHIP, PUBLIC PARKS OR TRIBAL RESOURCES WITHIN 600 FEET OF THE PROPOSED CULTIVATION AREA.
4. THERE ARE NO RESOURCES ON ADJOINING PARCELS WITHIN 200 FEET OF THE PROPOSED CULTIVATION AREAS.
5. ANY EXISTING DEVELOPMENT CONSTRUCTED WITHOUT THE BENEFIT OF COUNTY REVIEW SHALL BE SUBJECT TO THE HUMBOLDT COUNTY BUILDING DEPARTMENT UPON APPROVAL OF THE CONDITIONAL USE PERMIT.

# ALOHA TOP SHELF, LLC CONDITIONAL USE PERMIT

APN: 522-026-007



### PLOT PLAN

22x34 SHEET 1"=400'  
11x17 SHEET 1"=800'



### PROJECT INFORMATION:

APPLICANT:  
ALOHA TOP SHELF, LLC  
P.O. BOX 1262  
WILLOW CREEK, CA 95573  
PROPERTY ADDRESS:  
P.O. BOX 1262  
WILLOW CREEK, CA 95573  
APPLICANT'S ADDRESS:  
SOUTH FARM ROAD  
1117 SAMOA BLVD  
ARCATA, CA 95521  
(707) 798-6438  
SITE ADDRESS:  
APN 522-026-007  
OLD 3 CREEKS ROAD  
WILLOW CREEK, CA 95573

TREES TO BE REMOVED = NONE  
EARTHWORK QUANTITIES = TBD  
WATER = PRIVATE  
SEWER = PRIVATE

PROPERTY SIZE = 212.18 ACRES  
ZONING = T2  
GENERAL PLAN DESIGNATION = T2

### BUILDING SETBACKS:

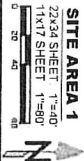
	T2	S2A
FRONT	20'	30'
SIDE	30'	30'
REAR	30'	30'

S2A AREA = YES  
IN COASTAL ZONE = NO  
IN 100 YR FLOOD ZONE = NO

### SHEET INDEX:

- C0 - PLOT PLAN, VICINITY MAP, & PROJECT NOTES
- C1 - SITE AREA 1 & 2

APN: 522-026-007



## **Appendix B: References**

Bass, Ronald E., Kenneth M. Bogdan, and Terry Rivasplata. 2013. CEQA Desktop. Point Arena, CA; Solano Book Press. Page 44.

California Code of Regulations. Health and Safety Code Section 11357-11362.9.  
<<http://www.leginfo.ca.gov/cgi-bin/displaycode?section=hsc&group=11001-12000&file=11357-11362.9>> Date accessed: July 16, 2014.

California NORML. SB 420 Establishes Prop. 215 Guidelines, Voluntary Patient Identification Card System.  
<<http://www.canorml.org/laws/sb420.html>> Date accessed: July 21, 2014.

County of Humboldt. *Medical Marijuana Land Use Ordinance (MMLUO) – Phase IV, Commercial Cultivation, Processing, Manufacturing and Distribution of Cannabis for Medical Use* (Staff Report to the Board of Supervisors). January 26, 2016. <<https://humboldt.legistar.com/Calendar.aspx>> Date accessed: March 28, 2016.

North Coast Regional Water Quality Control Board. 2016. *Cannabis Cultivation Waste Discharge Regulatory Program*. [http://www.waterboards.ca.gov/northcoast/water\\_issues/programs/cannabis/](http://www.waterboards.ca.gov/northcoast/water_issues/programs/cannabis/). Date accessed: March 28, 2016.

State Board of Equalization. Information on the Sales and Registration for Marijuana Sellers. June 2007.  
<<http://www.boe.ca.gov/news/pdf/173.pdf>>

State of California. Guidelines for the Security and Non-Diversion of Marijuana Grown for Medical Use. August 2008.  
<[http://www.ag.ca.gov/cms\\_attachments/press/pdfs/n1601\\_medicalmarijuanaguidelines.pdf](http://www.ag.ca.gov/cms_attachments/press/pdfs/n1601_medicalmarijuanaguidelines.pdf)>

---



**Cultivation Plan Addendum for  
Parcel #522-026-007 / APP# 11167  
Aloha Top Shelf, LLC**

*[The following sections are modifications to the cultivation plan previously submitted for this application.]*

**2.1 Nursery Propagation and Initial Transplant**

The proposed 3,448.8 square feet of ancillary nursery will allow Aloha Top Shelf, LLC to propagate clones from mother plants or purchase already rooted clones or seeds from a permitted nursery location.

**2.2 Outdoor Cultivation Plan**

Light-deprived cultivation will occur in eighteen (18) greenhouses totaling 35,000 square feet. The greenhouses will consist of metal tubing covered with a woven poly translucent opaque tarp. Light deprivation will be used to produce up to two (2) flowing harvest per year; one in early July, and another in October.

**2.4 Harvesting, Drying and Trimming**

Plants that are ready for harvest have their flowing branches removed and suspended in the existing storage containers equipped with ventilation fans. There are plans to eventually construct a drying structure to replace the containers. Plants are dried using dehumidifiers and the drying process takes approximately one week, at which time the flowers are bucked into manageable buds and placed in storage bins. The storage bins allow safe transportation to an off-site processing facility. Trimming will be done off-site at a licensed processing facility.

**3.1 Water Source and Projected Water Use**

Annual water usage is projected to be approximately 190,000 gallons provided by two permitted groundwater wells. The table below outlines the estimated irrigation water usage for cultivation during a typical year. Variables such as weather conditions and specific cannabis strains will have a slight effect on water use.

Jan	Feb	Mar	Apr	May	June
0	0	0	10,000	25,000	35,000

July	Aug	Sept	Oct	Nov	Dec
40,000	40,000	30,000	10,000	0	0

**3.2 Water Storage**

The site currently has the capacity to store 17,500 gallons in water tanks. The applicant has received DCC grant funds and will implement an additional 78,000 gallons of water storage. The chart below details existing and proposed water storage.

Water Storage Type	Size (Gallons)	Number	Total (Gallons)
Existing Poly Water Tank	5,000	1	5,000
Existing Poly Water Tank	3,000	4	12,000
Existing Poly Water Tank	500	1	500
Proposed Poly Water Tank	5,000	15	75,000
Proposed Poly Water Tank	3,000	1	3,000
<b>Total</b>			<b>95,500</b>

**3.6 Energy and Generator Use**

The site is reliant on a 3.8kW solar array as the primary energy source. No generators are used for any cultivation activities.



# ALOHA TOP SHELF, LLC CONDITIONAL USE PERMIT

APN: 522-026-007

**DIRECTIONS TO SITE:**  
FROM EUREKA, CA  
—NORTHBOUND ON US-101  
(APPROX. 7.2 MILES)  
—TURN RIGHT ON CA-299  
—CONTINUE ON CA-299  
(APPROX. 26.6 MILES)  
—TURN LEFT ONTO OLD 3 CREEKS RD  
(APPROX. 0.6 MILES) TO SITE



**VICINITY MAP**  
NOT TO SCALE

## PROJECT DESCRIPTION:

ALOHA TOP SHELF, LLC IS PROCESSING TO PERMIT EXISTING CANNABIS CULTIVATION AND A CARETAKER'S RESIDENCE ON THE COUNTY OF HUMBOLDT'S (COUNTY) COMMERCIAL MEDICAL NO. MARIJUANA LAND USE ORDINANCE (CMALUO). ORDINANCE NO. 2015 GIS DATA, NORHPONT CONSULTING GROUP, INC. HAS NOT YET BEEN OBTAINED FROM HUMBOLDT COUNTY. THE PROJECT PROPOSAL INCLUDES THE DEVELOPMENT OF FACILITIES APPURTENANT TO THE CULTIVATION, INCLUDING GREENHOUSES, CANNABIS, AND A CARETAKER'S RESIDENCE.

## GENERAL NOTES:

- DRAWING SCALE AS NOTED. WRITTEN DIMENSIONS SHALL TAKE PRECEDENCE OVER SCALED DIMENSIONS.
- THIS IS NOT A BOUNDARY SURVEY. BOUNDARY INFORMATION DEPICTED HAS BEEN OBTAINED FROM HUMBOLDT COUNTY 2015 GIS DATA, NORHPONT CONSULTING GROUP, INC. HAS NOT YET BEEN OBTAINED FROM HUMBOLDT COUNTY.
- THERE ARE NO NEARBY SCHOOLS, SCHOOL BUS STOPS, PLACES OF WORSHIP, PUBLIC PARKS OR RECREATION RESOURCES WITHIN 600 FEET OF THE PROPOSED CULTIVATION AREA.
- THERE ARE NO RESIDENCES ON ADJOINING PARCELS WITHIN 500 FEET OF THE PROPOSED CULTIVATION AREAS.
- ANY EXISTING DEVELOPMENT CONSTRUCTED WITHOUT THE BENEFIT OF COUNTY REVIEW WILL BE SUBJECT TO THE COUNTY OF HUMBOLDT'S REVIEW AND APPROVAL UPON APPROVAL OF THE CONDITIONAL USE PERMIT.

## PROJECT INFORMATION:

**APPLICANT:**  
ALOHA TOP SHELF, LLC  
1117 SAMOA BLVD.  
WILLOW CREEK, CA 95573  
**PROPERTY OWNER:**  
SEAN COCHRAN  
P.O. BOX 1282  
WILLOW CREEK, CA 95573  
**APPLICANTS AGENT:**  
NORHPONT CONSULTING GROUP, INC.  
1117 SAMOA BLVD.  
WILLOW CREEK, CA 95573  
(707) 796-9058  
**SITE ADDRESS:**  
ALOHA TOP SHELF, LLC  
APN: 522-026-007  
OLD 3 CREEKS ROAD  
WILLOW CREEK, CA 95573

**TREES TO BE REMOVED** = NONE  
**EARTHWORK QUANTITIES** = TBD  
**WATER** = PRIVATE  
**SEWER** = PRIVATE  
**PROPERTY SIZE** = #212.18 ACRES  
**ZONING** = IPZ  
**GENERAL PLAN DESIGNATION** = 1  
**BUILDING SETBACKS:**

	IPZ	SRA
FRONT	20'	30'
SIDE	30'	30'
REAR	30'	30'

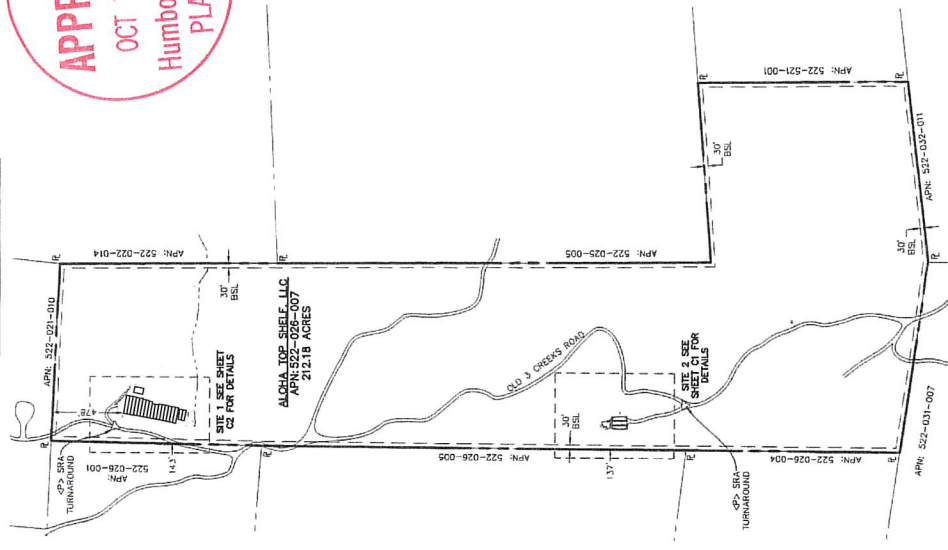
**SRA AREA:**  
IN COASTAL ZONE: = YES  
IN 100 YR FLOOD ZONE: = NO

## SHEET INDEX:

C0 - PLOT PLAN, VICINITY MAP, & PROJECT NOTES  
C1 - SITE AREA 1 & 2

ALOHA TOP SHELF, LLC / APN: 522-026-007  
OLD 3 CREEKS ROAD, WILLOW CREEK, CA 95573  
PLOT PLAN, VICINITY MAP, AND PROJECT NOTES

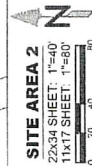
MAP REVISED  
ON 10/2/2023  
SHEET  
C0  
19-D40



**PLOT PLAN**  
22x34 SHEET: 1"=400'  
11x17 SHEET: 1"=800'

APN: 522-026-007

APN: 522-026-007



WATER STORAGE AND USE				WATER SOURCE			
	QUANTITY	GALLONS	TOTAL GALLONS	TYPE	LATLONGS	BENEFICIAL USE	
-E> HOPE TANK	40 9751 -123 7601	1	5,000				
-E> HOPE TANK	40 9750 -123 7601	1	500	GROUNDWATER WELL	40.9749 -123.7601	CANNABIS IRRIGATION	
-E> HOPE TANK	40 9942 -123 7559	4	3,000	GROUNDWATER WELL	40.9941 -123.7560	CANNABIS IRRIGATION	
-E> HOPE TANK	40 0981 -123 9482	3	2,500				
-E> HOPE TANK	40 0981 -123 9482	15	5,000				
-E> HOPE TANK	40 0981 -123 9482	1	3,000				
EXISTING WATER STORAGE TOTAL=			17,500 GALLONS				
PROPOSED WATER STORAGE TOTAL=			78,000 GALLONS				