



**COUNTY OF HUMBOLDT**  
**PLANNING AND BUILDING DEPARTMENT**  
**CURRENT PLANNING DIVISION**

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3015 H Street Eureka CA 95501  
Phone: (707)445-7541 Fax: (707) 268-3792

Hearing Date: June 2, 2022

To: Humboldt County Planning Commission

From: John H. Ford, Director of Planning and Building

Subject: **Homegrown, LLC, Special Permit**

Record Number: PLN-2021-17510

Assessor's Parcel Number: 107-272-011

The project is located in Humboldt County, in the Honeydew area, on the South side of Old Hindley Ranch Road, approximately 0.2 miles from the intersection of Mattole Road and Old Hindley Ranch Road, on the property known as 95 Old Hindley Ranch Road

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Please contact Michael Holtermann, Planner, at (707) 268-3737, or by email [mholtermann@co.humboldt.ca.us](mailto:mholtermann@co.humboldt.ca.us), if you have any questions about the scheduled public hearing item.

## AGENDA ITEM TRANSMITTAL

Hearing Date	Subject	Contact
June 2, 2022	Special Permit	Michael Holtermann

**Project Description:** A Special Permit for 43,560 square feet of new commercial cannabis cultivation, comprised of 17,850 square feet of mixed light cultivation and 25,710 square feet of outdoor cultivation. Cultivation will occur in four distinct cultivation areas. Outdoor cultivation will take place in one consolidated area, with mixed light cultivation occurring in one (1) 8,050 square foot greenhouse, and one (1) 9,800 square foot greenhouse divided into two discrete areas. One partitioned and shielded 4,375 square foot section of the greenhouse will house ancillary propagation during the beginning of the year, and transition to mixed light cultivation during the latter half of the year. The applicant also proposes a commercial processing facility on-site, with processing activities occurring through a licensed third-party processing facility until the commercial processing building has been constructed. The applicant anticipates there will be three cultivation and harvest cycles occurring annually for mixed light cultivation, and one harvest for the full sun outdoor cultivation area. Water for irrigation will be provided by a proposed 300,000 gallon rainwater catchment pond and an existing well. The applicant estimates an annual projected water use of 653,400 (15 gallons/sf). Water will be stored in the proposed 300,000 gallon rainwater catchment pond and 80,000 gallons of hard tank storage comprised of sixteen (16) 5,000-gallon tanks. The remaining water required for irrigation (approximately 273,400 gallons) will be sourced from the groundwater well. Drying will occur onsite in a 2,500 square foot drying structure. Further processing including trimming will occur onsite within a proposed 400-square-foot commercial processing facility. The applicant anticipates a maximum of eight (8) employees will be required for operations. Power for the project will be provided by an onsite solar array system and a backup generator until PG&E power can be secured.

**Project Location:** The project is located in Humboldt County, in the Honeydew area, on the South side of Old Hindley Ranch Road, approximately 0.2 miles from the intersection of Mattole Road and Old Hindley Ranch Road, on the property known as 95 Old Hindley Ranch Road.

**Present Plan Land Use Designation:** Agricultural Exclusive (AE). 2017 General Plan. Density: 20-60 acres per unit, Slope Stability: Low Instability (1)

**Present Zoning:** Agriculture General (AG) - Special Building Site (B-6)

**Record Number:** PLN-2021-17510

**Assessor Parcel Number:** 107-272-011

**Applicant**

Homegrown, LLC  
Amy Recca  
PO Box 326  
Salyer, CA 95563

**Owner**

Amy Recca  
Joel Skaggs  
PO Box 326  
Salyer, CA 95563

**Agent**

NorthPoint Consulting Group  
Praj White  
1117 Samoa Blvd.  
Arcata, CA 95521

**Environmental Review:** An Addendum to a previously adopted Environmental Impact Report has been prepared for consideration per §15164 of CEQA Guidelines.

**Major Issue:** None.

**State Appeal Status:** Project is located outside the Coastal Zone and is therefore NOT appealable to the California Coastal Commission.

**Homegrown, LLC**  
Record Number: PLN-2021-17510  
Assessor's Parcel Number: 107-272-011

**Recommended Planning Commission Action**

1. Describe the application as part of the Consent Agenda.
2. Survey the audience for any person who would like to discuss the application.
3. If no one requests discussion, make the following motion to approve the application as a part of the consent agenda:

*Find that the Planning Commission has considered the Addendum to the adopted Environmental Impact Report for the Commercial Cannabis Land Use Ordinance (CCLUO) as described by Section §15164 of the State CEQA Guidelines, make all of the required findings for approval of the Special Permit and adopt the Resolution approving the Homegrown, LLC Special Permit as recommended by staff subject to the recommended conditions of approval.*

**Executive Summary:** Homegrown, LLC seeks a Special Permit for 43,560 square feet of new commercial cannabis cultivation, comprised of 17,850 square feet of mixed light cultivation and 25,710 square feet of outdoor cultivation in accordance with Humboldt County Code Section 314-55.4 of Chapter 4 of Division I of Title III, Commercial Cannabis Land Use Ordinance (CCLUO). The site is designated as Agricultural Exclusive (AE) in the Humboldt County 2017 General Plan Update and zoned Agricultural General. Cultivation will occur in four distinct cultivation areas. Outdoor cultivation will take place in one consolidated area, with mixed light cultivation occurring in one (1) 8,050 square foot greenhouse, and one (1) 9,800 square foot greenhouse divided into two distinct areas. One partitioned and shielded 4,375 square foot section of the greenhouse will house ancillary propagation during the beginning of the year, and transition to mixed light cultivation during the latter half of the year. The applicant also proposes a commercial processing facility on-site, with processing activities occurring through a licensed third-party processing facility until the commercial processing building has been constructed. The applicant anticipates there will be three cultivation and harvest cycles occurring annually for mixed light cultivation, and one harvest for the full sun outdoor cultivation area. Drying will occur onsite in a 2,500 square foot drying structure. Further processing including trimming will occur onsite within a proposed 400-square-foot commercial processing facility. The applicant anticipates a maximum of eight (8) employees will be required for operations. Power for the project will be provided by an onsite solar array system and a backup generator until PG&E power can be secured.

**Water Resources**

Water for irrigation will be provided by a proposed 300,000 gallon rainwater catchment pond and an existing well. The applicant estimates an annual projected water use of 653,400 which is 15 gallons per square foot. Water will be stored in the proposed 300,000 gallon rainwater catchment pond and 80,000 gallons of hard tank storage comprised of sixteen (16) 5,000-gallon rainwater catchment tanks. The remaining water required for irrigation as well as for the processing facility will be sourced from the well provided that it can be demonstrated by a licensed geologist or hydrogeologist to be disconnected from surface waters. Because the entitlement is needed to allow for construction of the rainwater pond and storage, the project is conditioned to allow only cultivation of 25,333 square feet and no on-site processing until one of the following options has been completed to the satisfaction of the Planning Director or their authorized designee (**Condition A13**).

- a. The applicant shall submit a report by a qualified geologist or hydrogeologist evaluating the groundwater well to the Planning Department for review. The evaluation must demonstrate no negative impacts on groundwater resources and surface water disconnection.
- b. The applicant shall obtain and install additional water storage capacity to accommodate the total irrigation needs (653,400 gallons total) and submit a revised

Site Plan showing the location and dimensions of additional storage prior to cultivation of the full 43,560 square feet of cannabis as proposed.

The amount of rainwater catchment currently proposed is 380,000 gallons which will accommodate 25,333 square feet of cultivation based on the applicants proposed irrigation schedule and irrigation amount of 15 gallons per square foot.

### **Biological Resources**

There are mapped occurrences of summer run steelhead trout in the Mattole River that passes through the southwest portion of the subject parcel. No other sensitive species in the CNDDDB are mapped on the property. The nearest NSO activity center is approximately 2.5 miles west by south of the project site. Mapped Marbled Murrelet habitat is present approximately 0.86 miles south-southeast of the project site.

The applicant submitted a Biological Assessment prepared by Timberland Resource Consultants dated September 28, 2021. The report found that the project as proposed posed minimal risk to biological resources and included biologist recommendations to further reduce potential risk. The recommendations are included as conditions of approval in Attachment 1.

The Biological Assessment also included a Botanical Survey completed by Kyle Wear dated August 2021, which found that two small occurrences of rein orchids in a vegetative state were observed on the parcel during one site visit, however upon a subsequent site visit the plants were gone, likely due to invertebrate or mammal grazing. The report assumed the tubers were still alive in the soil, however as the plants were not in bloom it was unclear whether the plant was a rare, white-flowered rein orchid, or a more common royal rein orchid (that had been confirmed nearby), however the shape and color of the leaves were notably different from royal rein orchid, and it may be possible that the plant was white-flowered rein orchid. The report stated that the plants would not be impacted provided no trees were removed from along the grassland/forest edge and there is no disturbance to the understory from cannabis development or related activities. The report also identified Himalayan blackberry on the parcel and recommended control to prevent the spread of the invasive species. Removal and monitoring of invasive species has been included as a condition of approval for this project in Attachment 1.

### **Access**

The property is accessed via private driveway from Old Hindley Ranch Road. The applicant submitted a *Road Evaluation Report* that states the entire road segment is developed to the equivalent of a road category 4 standard. The project was referred to the Department of Public Works Land Use Division, who recommended that the road be maintained in accordance with the County Sight Visibility Ordinance (HCC §341-1). The project has been conditioned to include this recommendation (**Condition A8**).

### **Tribal Consultation**

The project is located in the Bear River Band and Sinkyone Aboriginal Ancestral Territories. The project was referred to Northwest Information Center, Bear River Band, and Sinkyone tribe. The Northwest Information Center recommended the applicant hire a qualified archaeologist to survey the area prior to commencement of project activities, and consultation with local Native American Tribes. Bear River Band of the Rohnerville Rancheria recommended standard inadvertent discovery protocol. The Project has been conditioned to follow inadvertent discovery protocol.



## **Environmental review**

Based on the results of the analysis, staff finds that all aspects of the project have been considered in a previously adopted Environmental Impact Report that was adopted for the Commercial Cannabis Land Use Ordinance and has prepared an addendum to this document for consideration by the Planning Commission (See Attachment 2 for more information).

### **Consistency with Humboldt County Board of Supervisors Resolution No. 18-43**

Planning staff determined 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. The project site is located in the Cape Mendocino Planning Watershed, which under Resolution 18-43 is limited to 650 permits and 223 acres of cultivation. With the approval of this project the total approved permits in this Planning Watershed would be 203 permits and the total approved acres would be 72.4 acres of cultivation.

Environmental review for this project was conducted and based on the results of that analysis, staff finds that all aspects of the project have been considered in a previously adopted Environmental Impact Report that was adopted for the Commercial Cannabis Land Use Ordinance and has prepared an addendum to this document for consideration by the Planning Commission.

**RECCOMENDATION:** Staff recommends that the Planning Commission describe the application as a part of the consent agenda, survey the audience to see if any person would like to discuss the application and, if no one requests discussion, make all the required findings based on the evidence in the record and approve the application subject to the recommended conditions.

**ALTERNATIVES:** Several alternatives may be considered: 1) The Planning Commission could elect to add or delete conditions of approval; 2) The Planning Commission could deny approval of the requested permits if unable to make all of the required findings. Planning Division staff is confident that the required findings can be made based on the submitted evidence and subject to the recommended conditions of approval. Consequently, planning staff does not recommend further consideration of these alternatives.

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

**Resolution Number 22-**

**Record Number: PLN-2021-17510**

**Assessor's Parcel Number: 107-272-011**

**Resolution by the Planning Commission of the County of Humboldt certifying compliance with the California Environmental Quality Act and conditionally approving the Homegrown LLC, Special Permit request**

**WHEREAS, Homegrown, LLC**, submitted an application and evidence in support of approving a Special Permit for the operation of a proposed 43,560 square foot cannabis operation with appurtenant propagation and drying and processing activities;

**WHEREAS**, the County Planning Division, the lead agency, prepared an Addendum to the Final Environmental Impact Report (EIR) prepared for the Commercial Cannabis Land Use Ordinance (CCLUO) adopted by the Humboldt County Board of Supervisors on May 8, 2018. The proposed project does not present substantial changes that would require major revisions to the previous Environmental Impact Report. 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 **June 2, 2022**, and reviewed, considered, and discussed the application for a Special 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:** The application is a Special Permit to allow for a 43,560 square foot (SF) cannabis cultivation operation consisting of 17,850 square feet of mixed light cultivation and 25,710 square feet of outdoor cultivation with appurtenant propagation, drying, and processing activities. Power is provided by solar with an emergency backup generator until PG&E power can be secured. Water for irrigation will be provided by a proposed 300,000 gallon rainwater catchment pond, 80,000 gallons of rainwater catchment tanks, and an existing groundwater well.

**EVIDENCE:** a) Project File: PLN-2021-17510

- 2. FINDING:** **CEQA.** The requirements of the California Environmental Quality Act have been complied with. The Humboldt County Planning Commission has considered the Addendum to the Environmental Impact Report (EIR) prepared for the Commercial Cannabis Land Use Ordinance (CCLUO) adopted by the Humboldt County Board of Supervisors on May 8, 2018.

**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 EIR. 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.

- d) A Biological Reconnaissance Assessment was prepared by Timberland Resource Consultants dated September 2021, which concluded the project as proposed posed minimal risk to biological resources and included biologist recommendations to further reduce potential risk.
- e) The applicant submitted a Botanical Assessment by Kyle Wear which stated that sensitive species would not be impacted provided no trees were removed from along the grassland/forest edge and there is no disturbance to the understory from cannabis development or related activities. The report also identified Himalayan blackberry on the parcel and recommended control to prevent the spread of the invasive species. Removal and monitoring of invasive species is included as a condition of approval.
- e) The property is accessed from Mattole Road, a County-maintained Category 4 Road to Old Hindley Ranch Road. The applicant submitted a Road Evaluation Form for the 0.10 mile segment of Old Hindley Ranch Road which states the segment is developed to the equivalent of a road category 4 standard.

**3. FINDING**

The proposed development is in conformance with the County General Plan, Open Space Plan, and the Open Space Action Program.

**EVIDENCE**

General agriculture is a use type permitted in Agricultural Exclusive (AE) 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 AG-B-6 zone in which the site is located.

**EVIDENCE**

- a) The Agricultural General Zone or AG Zone is intended to be applied to areas of the County in which general agriculture is an allowable use for AG zones. The parcel is also zoned as a Special Building Site (B-6) which is intended to be combined with any principal zone in which sound and orderly planning indicate that lot area and yard requirements should be modified.
- b) All general agricultural uses are principally permitted in the AG zone.
- c) Humboldt County Code section 314-55.4.6 allows cultivation of up to 43,560 square feet of cannabis on a AG zoned parcel over 10 acres subject to approval of a Special Permit. The application for 43,560 total square feet of outdoor and mixed light cannabis cultivation on a 12.13-acre parcel is consistent with this requirement.

**5. FINDING**

The proposed development is consistent with the requirements of the CCLUO Provisions of the Zoning Ordinance.

- EVIDENCE**
- a) The CCLUO allows new cannabis cultivation to be permitted in areas zoned AG (HCC 314-55.4.6.1.1).
  - b) The parcel was created in compliance with all applicable state and local subdivision regulations, as the subject parcel has been determined to be one legal parcel (parcel 10) as shown on Recorded Map in Book 16 of Maps page 125.
  - c) The project will obtain water from a non-diversionary water source. The project is conditioned to allow only the portion of the proposed total cultivation that can be served by the rainwater catchment facilities until and unless the well has been demonstrated to be hydrologically disconnected from surface waters by a licensed geologist or hydrogeologist.
  - d) The property is accessed via a private driveway from Old Hindley Ranch Road. The applicant submitted a Road Evaluation Report that states the entire road segment is developed to the equivalent of a road category 4 standard.
  - e) The slope of the land where cannabis will be cultivated is less than 15%.
  - 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, more than 300 feet from any off-site residence, more than 600 feet from any school, church, or Tribal Cultural Resource.

**6. FINDING** The cultivation of 43,560 total square feet of mixed light and outdoor 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 that the applicant has verified to be Category 4 equivalent.
  - b) The site is in a rural part of the County where the typical AE-B-6 zoned parcel size is approximately 11 acres, and the typical AG-B-6 zoned parcel size is approximately 27 acres. Many of the land holdings are large and 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) The location of the proposed cannabis cultivation is more than 300 feet from the nearest off-site residence.
  - d) Irrigation water will come from a proposed 300,000 gallon rainwater catchment pond, and an existing groundwater well.

**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**

The parcel was not included in the housing inventory of Humboldt County's 2019 Housing Element.

**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 Cape Mendocino Planning Watershed, which under Resolution 18-43 is limited to 650 permits and 223 acres of cultivation. With the approval of the project the total approved permits in this Planning Watershed would be 203 permits and 72.4 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 Special Permit for Homegrown, LLC, based upon the Findings and Evidence and subject to the conditions of approval attached here to as Attachment 1 and incorporated herein by reference; and

Adopted after review and consideration of all the evidence on **June 2, 2022**,

The motion was made by COMMISSIONER \_\_\_\_\_ and second by COMMISSIONER \_\_\_\_\_ and the following ROLL CALL vote:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

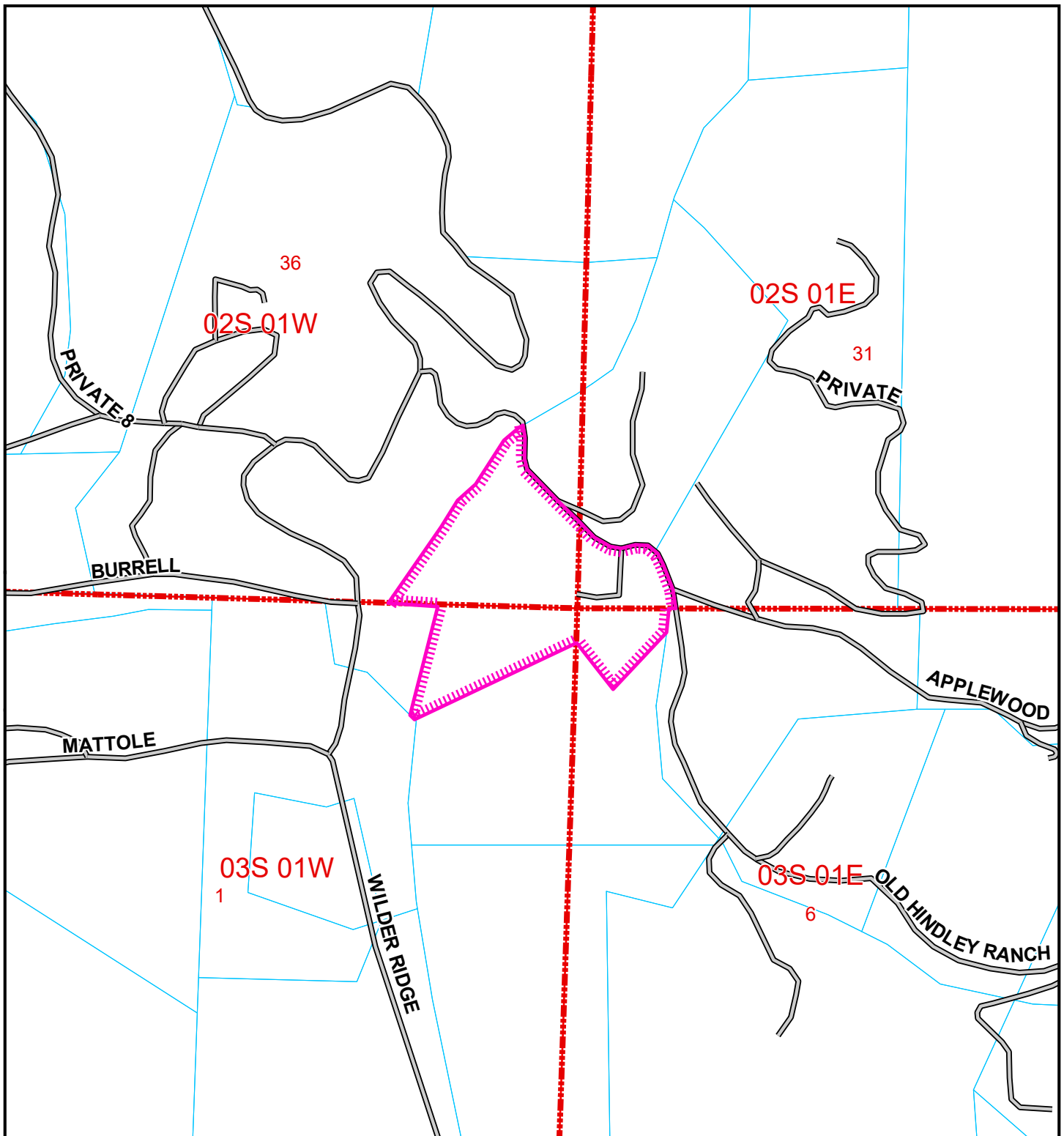
ABSENT: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

DECISION:

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 H. Ford, Director,  
Planning and Building Department



# LOCATION MAP

PROPOSED HOMEGROWN, LLC  
SPECIAL PERMIT  
HONEYDEW AREA  
PLN-2021-17510  
APN: 107-272-011

Project Area = 

This map is intended for display purposes and should not be used for precise measurement or navigation. Data has not been completely checked for accuracy.

T02S R01W S36 HB&M (Honeydew)



0 250 500 Feet



**FROM EUREKA, CA**  
 -HEAD SOUTHBOUND ON US-101  
 -FOLLOW US-101 SOUTH TO BULL CREEK FLATS RD. TAKE EXIT 663 FROM US-101 SOUTH (APPROX. 41.8 MI.)  
 -TAKE EXIT 663 FOR CA-254 TOWARD SOUTH FORK/HONEYDEW (APPROX. 0.2 MI.)  
 -TAKE MATTOLE RD. TO OLD HINDLEY RANCH RD. IN HONEYDEW (APPROX. 23.1 MI.)  
 DESTINATION WILL BE ON THE RIGHT



APN: 107-272-011

APPLICANT:  
HOMEGROWN, LLC  
190 PEACH ORCHARD LANE  
SALYER, CA 95563

AMY RECCA AND JOEL SKAGGS  
190 PEACH ORCHARD LANE  
SALYER, CA 95563

**APPLICANTS AGENT:**  
NORTHPOINT CONSULTING GROUP, INC.  
1117 SAMOA BLVD.  
ARCATA, CA 95521  
(707) 798-6438

APN: 107-272-011  
46145 MATTOLE RD  
HONEYDEW, CA 95545

PRIME AGRICULTURAL AREA = 283,566 SQ.FT (6.5 ACRES)  
20% OF PRIME AGRICULTURAL AREA = 56,713 SQ.FT.

PROPOSED OUTDOOR CULTIVATION AREA = 25,710 SQ.FT.  
PROPOSED MIXED LIGHT CULTIVATION AREA = 17,850 SQ.FT.

WATER	=	PRIVATE
SEWER	=	PRIVATE

PROPERTY SIZE = ±11.98 ACRES

ZONING = AG-B-6

GENERAL PLAN DESIGNATION = AE

## BUILDING SETBACKS

	AG	AE	SRA
FRONT	20'	30'	30'
SIDE	6'	20'	30'
REAR	20'	10'	30'

SRA AREA:  
= YES  
= NO  
= NO  
= NO

RECEIVED

NOV 10 2021

Humboldt County  
Planning Division

22x34 SHEET: 1"=100'  
11x17 SHEET: 1"=200'

## SHEET INDEX:

C0 - CUP PLOT PLAN, VICINITY MAP, & PROJECT NOTES  
C1 - EXISTING AND PROPOSED SITE PLAN

[illegible]

**NORTHPOINT**  
CONSULTING GROUP, INC.  
1117 Samoa Blvd., Arcata CA 95521

HOMEGROWN, LLC / APN: 107-272-011  
46145 MATTOLE ROAD, HONEYDEW CA 95545  
PLOT PLAN, VICINITY MAP, & PROJECT NOTES

PROJ. MGR.:	FLOW
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DATE	11/09/21
SCALE	AS SHOWN

SHEET

88

21-011



# HOME GROWN, LLC

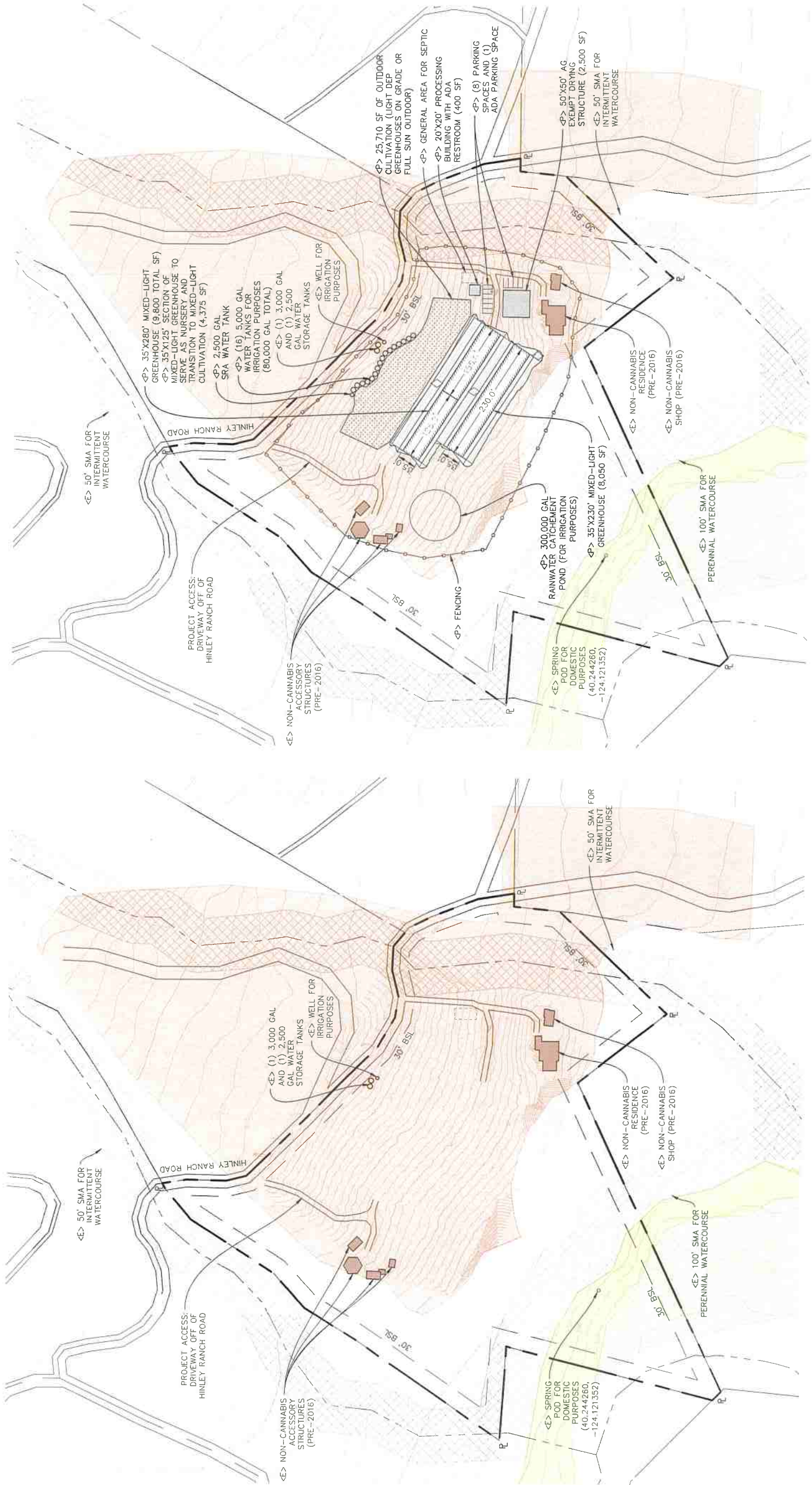
## EXISTING AND PROPOSED SITE PLAN

APN: 107-272-011

### LEGEND:

- PRIME AGRICULTURAL SOILS  
FLOOD PRONE AREA (PER SMA SITE MAP,  
TIMBERLAND RESOURCE CONSULTANTS, 2021)  
RIPARIAN VEGETATION (PER SMA SITE MAP,  
TIMBERLAND RESOURCE CONSULTANTS, 2021)  
STREAMSIDE MANAGEMENT AREA  
PROPOSED FENCELINE

RECEIVED  
NOV 10 2021  
Humboldt County  
Planning Division



## EXISTING SITE PLAN

22x34 SHEET: 1"=100'  
11x17 SHEET: 1"=200'



# PROPOSED SITE PLAN

HOMEGROWN, LLC / APN: 107-272-011  
46145 MATTOLE ROAD, HONEYDEW, CA 95546  
EXISTING AND PROPOSED SITE PLAN

**NORTHPOINT**  
CONSULTING GROUP, INC.  
1117 Samoa Blvd., Arcata, CA 95521

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FIG. NO.	POW
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DATE	11/09/21
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C1	

## **ATTACHMENT 1**

### **RECOMMENDED CONDITIONS OF APPROVAL**

#### **APPROVAL OF THE SPECIAL PERMIT IS CONDITIONED ON THE FOLLOWING TERMS AND REQUIREMENTS WHICH MUST BE SATISFIED BEFORE THE PROJECT MAY BEGIN OPERATING**

##### **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. The applicant shall secure permits for all structures related to the cannabis cultivation and other commercial cannabis activity, including but not limited to, the greenhouses, one (1) commercial processing building, and all other structures with a nexus to cannabis. 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.
6. The applicant shall apply for and obtain a building permit for the proposed 300,000-gallon rainwater catchment pond, if and when they decide to install. Sign-off on the Permit by the Building Division shall satisfy this requirement.
7. The applicant shall ensure all driveways and private road intersections onto the County Road shall be maintained in accordance with County Code Section 341-1 (Sight Visibility Ordinance). Final signoff from the Department of Public Works will satisfy this condition.
8. The Applicant shall provide the final Site Management Plan (SMP) report to the department when available. The applicant shall implement all corrective actions detailed in the Site Management Plan developed for the parcel, prepared pursuant to enrollment under the State Water Resource Control Board (SWRCB) Cannabis Cultivation Policy (Cannabis Policy), in congruence with Order WQ 2019-0001-DWQ General Waste Discharge Requirements for Dischargers of Waste Associated with Cannabis Cultivation Activities (General Order). A letter or similar communication from the State Water Board verifying that all their requirements have

been met will satisfy this condition.

9. The applicant shall submit to the Planning Department a letter from the CDFW stating that no Lake or Streambed Alteration Agreement is required for the project, and in the event that one is needed the applicant shall submit the Final LSAA to the Planning Department prior to initiating cultivation.
10. 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.
11. 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.
12. The applicant shall submit a revised Site Plan showing a cultivation area of 25,333 square feet of cannabis cultivation within the existing footprint. The applicant shall not cultivate in amounts exceeding 25,333 square feet and shall process off-site until one of the following options has been completed to the satisfaction of the Planning Director or their authorized designee.
  - a. The applicant shall submit a report by a qualified geologist or hydrogeologist evaluating the groundwater well to the Planning Department for review. The evaluation must demonstrate no negative impacts on groundwater resources and surface water disconnection.
  - b. The applicant shall obtain and install additional water storage capacity to accommodate the total irrigation needs (653,400 gallons total) and submit a revised Site Plan showing the location and dimensions of additional storage prior to cultivation of the full 43,560 square feet of cannabis as proposed.

Upon Planning Department review and approval of the chosen option, the applicant may cultivate the full 43,560 square feet of cannabis as proposed. Final signoff from the Planning Department will satisfy this condition.

13. Prior to well use for this project, the applicant shall provide evidence of an approved well permit, destroy the well, legalize the well through installation of a new sanitary surface seal, or provide compelling evidence that the well was installed prior to February 1973. A letter or similar communication from the Department of Environmental Health that their requirements have been met will satisfy this condition.
14. The applicant shall obtain a permit for, and install, an approved onsite wastewater treatment system to support the processing location and either install approved septic systems or provide portable toilets to cultivation areas.

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

1. Noise from cultivation and related activities shall not result in an increase of more than three decibels of continuous noise above existing ambient noise levels at any property line of the site.
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. 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.
4. 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.
5. All refuse shall be contained in wildlife proof storage containers, at all times, and disposed of at an authorized waste management facility.
6. Should any wildlife be encountered during work activities, the wildlife shall not be disturbed and shall be allowed to leave the work site unharmed.
7. The use of anticoagulant rodenticide is prohibited.
8. 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.
9. 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.
10. Cannabis cultivation and other commercial cannabis activity shall be conducted in compliance with all laws and regulations as set forth in the CCLUO and MAUCRSA, as applicable to the permit type.
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. 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.

13. 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.
14. 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).
15. 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.
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).
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.
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 log books 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 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."
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 Special Permit. Any Commercial Cannabis Cultivation SP 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.

30. 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.
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
  - Execution of an Affidavit of Non-diversion of Medical Cannabis.
34. 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 #11 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 #26 and 27 of the Ongoing Requirements/Development Restrictions, above.

3. 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.



**ATTACHMENT 2**

**CEQA ADDENDUM TO THE  
ENVIRONMENTAL IMPACT REPORT FOR THE COMMERCIAL CANNABIS LAND USE ORDINANCE**

**Commercial Cannabis Land Use Ordinance Environmental Impact Report (EIR)  
(State Clearinghouse # 2017042022), May 2018**

**APN 107-272-011; 95 Old Hindley Ranch Road, County of Humboldt**

**Prepared By  
Humboldt County Planning and Building Department  
3015 H Street, Eureka, CA 95501**

**June 2021**

## Background

**Modified Project Description and Project History** - The original project reviewed under the Environmental Impact Report (EIR) for the Commercial Cannabis Land Use Ordinance (CCLUO) addressed the broad environmental impacts that could be expected to occur from the adoption and implementation of the ordinance. The EIR specified that the regulations established in the CCLUO would mitigate the impacts of existing cannabis operations by establishing regulations for an existing unregulated land use to help prevent and reduce environmental impacts that are known to result from unpermitted baseline cultivation operations. The EIR states that "Bringing existing operations into compliance will help to attenuate potential environmental effects from existing cultivation activities, including aesthetic impacts resulting from improper operation or poor siting." The current project was contemplated by the EIR and compliance with the provisions of the CCLUO will fully mitigate all environmental impacts of the project to a less than significant level.

43,560 square feet of new commercial cannabis cultivation, comprised of 17,850 square feet of mixed light cultivation and 25,710 square feet of outdoor cultivation in accordance with Humboldt County Code Section 314-55.4 of Chapter 4 of Division I of Title III, Commercial Cannabis Land Use Ordinance (CCLUO). The site is designated as Agricultural Exclusive (AE) in the Humboldt County 2017 General Plan Update and zoned Agricultural General. Cultivation will occur in four distinct cultivation areas. Outdoor cultivation will take place in one consolidated area, with mixed light cultivation occurring in one (1) 8,050 square foot greenhouse, and one (1) 9,800 square foot greenhouse divided into two distinct areas. One partitioned and shielded 4,375 square foot section of the greenhouse will house ancillary propagation during the beginning of the year, and transition to mixed light cultivation during the latter half of the year. The applicant also proposes a commercial processing facility on-site, with processing activities occurring through a licensed third-party processing facility until the commercial processing building has been constructed. The applicant anticipates there will be three cultivation and harvest cycles occurring annually for mixed light cultivation, and one harvest for the full sun outdoor cultivation area. Drying will occur onsite in a 2,500 square foot drying structure. Further processing including trimming will occur onsite within a proposed 400-square-foot commercial processing facility. The applicant anticipates a maximum of eight (8) employees will be required for operations. Power for the project will be provided by an onsite solar array system and a backup generator until PG&E power can be secured.

Water for irrigation will be provided by a proposed 300,000 gallon rainwater catchment pond and an existing well. The applicant estimates an annual projected water use of 653,400. Water will be stored in the proposed 300,000 gallon rainwater catchment pond and 80,000 gallons of hard tank storage comprised of sixteen (16) 5,000-gallon rainwater catchment tanks. The remaining water required for irrigation will be sourced from the groundwater well.

There are mapped occurrences of summer run steelhead trout in the Mattole River that passes through the southwest portion of the subject parcel. No other sensitive species in the CNDDB are mapped on the property. The nearest NSO activity center is approximately 2.5 miles west by south of the project site. Mapped Marbled Murrelet habitat is present approximately 0.86 miles south-southeast of the project site.

The applicant submitted a Biological Assessment prepared by Timberland Resource Consultants dated September 28, 2021. The report found that the project as proposed posed minimal risk to biological resources and included biologist recommendations to further reduce potential risk. The recommendations are included as conditions of approval in Attachment 1.

The Biological Assessment also included a Botanical Survey completed by Kyle Wear dated August 2021, which found that two small occurrences of rein orchids in a vegetative state were observed on the parcel during one site visit, however upon a subsequent site visit the plants were gone, likely due to invertebrate or mammal grazing. The report assumed the tubers were still alive in the soil, however as the plants were not in bloom it was unclear whether the plant was a rare, white-flowered rein orchid, or a more common royal rein orchid (that had been confirmed

nearby), however the shape and color of the leaves were notably different from royal rein orchid, and it may be possible that the plant was white-flowered rein orchid. The report stated that the plants would not be impacted provided no trees were removed from along the grassland/forest edge and there is no disturbance to the understory from cannabis development or related activities. The report also identified Himalayan blackberry on the parcel and recommended control to prevent the spread of the invasive species. Removal and monitoring of invasive species has been included as a condition of approval for this project in Attachment 1.

The property is accessed via private driveway from Old Hindley Ranch Road. The applicant submitted a Road Evaluation Report that states the entire road segment is developed to the equivalent of a road category 4 standard.

The project is located in the Bear River Band and Sinkyone Aboriginal Ancestral Territories. The project was referred to Northwest Information Center, Bear River Band, and Sinkyone tribe. The Northwest Information Center recommended the applicant hire a qualified archaeologist to survey the area prior to commencement of project activities, and consultation with local Native American Tribes. Bear River Band of the Rohnerville Rancheria recommended standard inadvertent discovery protocol. The Project has been conditioned to follow inadvertent discovery protocol. The modified project is consistent with the adopted EIR for the CCLUO because it complies with all standards of the CCLUO which were intended to mitigate for impacts of existing cultivation. These include compliance with noise and light standards to limit disturbance to wildlife, increased water storage to allow for complete forbearance from water diversion during the dry season, and proper storage of fertilizers and soil amendments.

**Purpose** - Section 15164 of the California Environmental Quality Act (CEQA) provides that the lead agency shall prepare an addendum to a previously certified Final Environmental Impact Report (EIR) if some changes or additions are necessary but none of the conditions described in Section 15162 calling for a subsequent EIR or Negative Declaration have occurred. Section 15162 states that when an EIR has been certified for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:

1. Substantial changes are proposed in the project which require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
2. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the Final EIR was certified as complete, shows any of the following: A) the project will have one or more significant effects not discussed in the previous Final EIR; B) significant effect previously examined will be substantially more severe than shown in the Final EIR; C) mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or D) mitigation measures or alternatives which are considerably different from those analyzed in the Final EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

## **Summary of Significant Project Effects and Mitigation Recommended**

No changes are proposed for the Final EIR recommended mitigations. The proposal to authorize the project in compliance with the CCLUO is fully consistent with the impacts identified and adequately mitigated in the Final EIR. The project as conditioned to implement responsible agency recommendations, results in no significantly adverse environmental effects beyond those identified in the Final EIR.

Technical documents utilized in conducting this review included, but are not limited to the following:

- Cultivation and Operations Plan prepared by Northpoint Consulting Group, INC. dated November, 2021.
- Site Plan prepared by Northpoint Consulting Group, INC. received November 10, 2021.
- Biological Reconnaissance Assessment prepared by Timberland Resource Consultants dated September 28, 2021.

## **Other CEQA Considerations**

Staff suggests no changes for the revised project.

## **EXPLANATION OF DECISION NOT TO PREPARE A SUPPLEMENTAL MITIGATED NEGATIVE DECLARATION OR ENVIRONMENTAL IMPACT REPORT**

See **Purpose** statement above.

In every impact category analyzed in this review, the projected consequences of the current project proposal are either the same or less than significantly increased than the initial project for which the EIR was adopted. Based upon this review, the following findings are supported:

## **FINDINGS**

1. The proposed project will permit a cannabis operation and bring the operation into compliance with county and state requirements intended to adequately mitigate environmental impacts.
2. The circumstances under which the project was approved have not changed substantially. There are no new significant environmental effects and no substantial increases in the severity of previously identified effects.
3. For the current proposed project, there has been no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was adopted as complete.

## **CONCLUSION**

Based on these findings it is concluded that an Addendum to the previous Final EIR is appropriate to address the requirements under CEQA for the current project proposal. All of the findings, mitigation requirements, and mitigation and monitoring program of the EIR, remain in full force and effect on the original project.

### ATTACHMENT 3

#### Applicant's Evidence in Support of the Required Findings

Attachment 3 includes a listing of all written evidence which has been submitted by the applicant in support of making the required findings. The following materials are on file with the Planning Division:

1. The name, contact address, and phone number(s) of the applicant. (Application form on file)
2. If the applicant is not the record title owner of parcel, written consent of the owner for the application with original signature and notary acknowledgement. (On file)
3. Site plan showing the entire parcel, including easements, streams, springs, ponds and other surface water features, and the location and area for cultivation on the parcel with dimensions of the area for cultivation and setbacks from property lines. The site plan shall also include all areas of ground disturbance or surface water disturbance associated with cultivation activities, including access roads, water diversions, culverts, ponds, dams, graded flats, and other related features. If the area for cultivation is within one-quarter mile (1,320 feet) of a school, school bus stop, church or other place of religious worship, public park, or tribal cultural resource, the site plan shall include dimensions showing that the distance from the location of such features to the nearest point of the cultivation area is at least 600 feet. (Plot Plans prepared by the agent dated February 2021 – **Attached** with project Maps)
4. A cultivation and operations plan that meets or exceeds minimum legal standards for water storage, conservation and use; drainage, runoff and erosion control; watershed and habitat protection; proper storage of fertilizers, pesticides, and other regulated products to be used on the parcel; and a description of cultivation activities (outdoor, indoor, mixed light), the approximate date(s) cannabis cultivation activities have been conducted on the parcel prior to the effective date of this ordinance, if applicable, and schedule of activities during each month of the growing and harvesting season. (Cultivation and Operations Plan prepared by Northpoint Consulting Group, INC. dated November 10, 2021- **Attached**)
5. Description of water source, storage, irrigation plan, and projected water usage. (Included in Cultivation Operations Plan item 4. above)
6. Copy of Notice of Intent and Monitoring Self-Certification and other documents filed with the North Coast Regional Water Quality Control Board demonstrating enrollment in Tier 1, 2 or 3, North Coast Regional Water Quality Control Board Order No. 2019-0001, or any substantially equivalent rule that may be subsequently adopted by the County of Humboldt or other responsible agency. (Site Management Plan (SMP) prepared by the agent- Conditioned)
7. If any on-site or off-site component of the cultivation facility, including access roads, water supply, grading or terracing, impacts the bed or bank of any stream or other watercourse, a copy of the Streambed Alteration Permit obtained from the California Department of Fish and Wildlife. (Conditioned)
8. If the source of water is a well, a copy of the County well permit, if available. (Conditioned)
9. If the parcel is zoned FR, U or TPZ, or involves the conversion of timberland as defined under Section 4526 of the Public Resources Code, a copy of a less-than-3-acre conversion exemption or timberland conversion permit, approved by the California Department of Forestry and Fire Protection (Cal Fire). Alternately, for existing operations occupying sites created through prior unauthorized conversion of timberland, evidence may be provided

showing that the landowner has completed a civil or criminal process and/or entered into a negotiated settlement with Cal Fire. (Not applicable)

10. Consent for on-site inspection of the parcel by County officials at prearranged date and time in consultation with the applicant prior to issuance of any clearance or permit, and once annually thereafter. (On file)
11. For indoor cultivation facilities, identify the source of electrical power and how it will meet with the energy requirements in Section 55.4.8.2.3, and plan for compliance with applicable building codes. (Not applicable)
12. Acknowledge 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, will not support diversions for irrigation. (On file)
13. Acknowledge that the County reserves the right to engage with local tribes before consenting to the issuance of any clearance or permit, if cultivation operations occur within an Area of Traditional Tribal Cultural Affiliation, as defined herein. This process will follow current departmental referral protocol, including engagement with the tribe(s) through coordination with their Tribal Historic Preservation Officer (THPO) or other tribal representatives. This procedure shall be conducted similar to the protocols outlined under SB 18 (Burton) and AB 52 (Gatto), which describe "government to government" consultation, through tribal and local government officials and their designees. During this process, the tribe may request that operations associated with the clearance or permit be designed to avoid, minimize, or mitigate impacts to tribal cultural resources, as defined herein. Examples include, but are not limited to, conducting a site visit with the THPO or their designee to the existing or proposed cultivation site, requiring that a professional cultural resources survey be performed, or requiring that a tribal cultural monitor be retained during project-related ground disturbance within areas of sensitivity or concern. The County shall request that a records search be performed through the California Historical Resources Information System (CHRIS). (On file)
14. Division of Environmental Health Attachment for Commercial Medical Marijuana (CMM) Clearances/ Permits (DEH Form). (On-file)
15. Road Evaluation Form prepared by Northpoint Consulting Group, INC. dated September 3, 2021. (**Attached**)
16. Biological Reconnaissance Assessment prepared by Timberland Resource Consultants dated September 2021. (On file)

HOMEGROWN, LLC  
APNs: 107-272-011  
CULTIVATION AND OPERATIONS MANUAL  
HUMBOLDT COUNTY, CA

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COMMERCIAL CANNABIS  
CULTIVATION FACILITIES



PREPARED FOR:



November 2021

**Commercial Cannabis Cultivation Facilities**

APN: 107-272-011

Lead Agency:

***Humboldt County Planning Department***

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**November 2021**



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## 1. PROJECT SUMMARY

### 1.1. PROJECT OBJECTIVE

Homegrown, LLC is proposing to permit commercial cannabis cultivation activities in accordance with the County of Humboldt's (County) *Commercial Cannabis Land Use Ordinance* (CCLUO), aka "Ordinance 2.0" on APNs 107-272-011 in Honeydew, California. The project requires a Special Permit for 43,560 sq. ft. of new cannabis cultivation: 17,850 sq. ft. of mixed-light and 25,710 sq. ft. of outdoor cultivation. The project proposal also includes an ancillary 4,375 sq. ft. nursery. Drying will occur within a proposed 50' x 50' two-story structure, which will be permitted as ag-exempt. Processing will occur off-site until a proposed 400 sq. ft. processing facility with ADA restroom is developed. Water will be sourced from rainwater catchment (in storage tanks and a proposed 300,000-gallon pond) and from an existing well. Proposed water storage onsite is comprised of 80,000-gallons in addition to the rainwater catchment pond. Power will be sourced from a proposed PG&E drop; until PG&E is installed, power will be sourced from a solar system with a battery bank and a generator kept as backup. The proposal includes permitting of existing and proposed facilities appurtenant to the cultivation which include grading, greenhouses, drying structures, and a processing building. The applicants aim to become fully compliant with State and Local cultivation regulations.

### 1.2. SITE DESCRIPTION

The project site is located on APN 107-272-011 near the community of Honeydew (40.2449, -124.1207) in the Middle Mattole River watershed (HUC-12 #180101070209). The subject property, vegetated with grassland and trees, has historically been used for domestic and agricultural purposes. The property is developed with a residence and residential accessory structures. Two unnamed intermittent streams run parallel to the Parcel, one on the western parcel boundary and the second along the east parcel boundary, both tributaries to the Mattole River. Slopes on the property range from <5% to greater than 15%; all project development would occur on areas of less than 15% slope. The project site occupies an area of approximately 12-acres, outside the Coastal Zone and within an State Responsibility Area (SRA) for fire protection. No proposed development would be located in the 100-year FEMA flood zone. with Approximately 283,566 sq. ft. (+/- 6.5 acres) of Prime Agricultural Soils exist on the property, per Humboldt County Web GIS. The proposed cannabis cultivation site activities total approximately 46,460 sq. ft., or 16.4% of total prime ag soils onsite.

### 1.3. LAND USE

The property is zoned Agriculture General (AG-B-6) and has a general plan land use designation of Agricultural Exclusive (AE). Land uses surrounding the parcel are comprised of Agriculture, Timber, and Unclassified designations.

### 1.4. STATE AND LOCAL COMPLIANCE

#### 1.4.1. DEPARTMENT OF CANNABIS CONTROL – CALCANNABIS

Homegrown, LLC will obtain a Commercial Cannabis Activity license from the State of California once the local approval has been received.

#### 1.4.2. STATE WATER RESOURCES CONTROL BOARD – WATER RIGHTS

Water is proposed to be sourced from rainwater and an existing well. Neither the groundwater well nor rainwater catchment require water rights permitting from the State Water Resources Control Board (SWRCB). A Statement of Water Diversion and Use will be filed for the domestic use associated with an existing spring point of diversion used solely for domestic purposes. No water will be diverted for cultivation purposes.



**1.4.3. STATE WATER RESOURCES CONTROL BOARD AND NORTH COAST REGIONAL WATER QUALITY CONTROL BOARD – WATER QUALITY**

The applicant shall enroll for coverage as a Tier 2, Low Risk under the SWRCB General Order WQ 2019-0001-DWQ *General Waste Discharge Requirements and Waiver of Waste Discharge Requirements for Dischargers of Waste Associated with Cannabis Cultivation Activities* “Order”). The purpose of the SWRCB Order is to implement the requirements for waste discharges associated with cannabis cultivation as described in SWRCB’s *Cannabis Cultivation Policy – Principles and Guidelines for Cannabis Cultivation* (“Policy”). Prior to the commencement of cultivation operations, Site Management Plan will be developed for the property to describe how the discharger is complying with the applicable Best Practicable Treatment or Control (BPTC) Measures listed in Attachment A of the Order/Policy.

The Tier 2, Low Risk discharger status reflects current operations that disturb less than one acre. The applicants intend to keep all cultivation activities out of riparian setbacks to maintain Low Risk status with SWRCB.

**1.4.4. HUMBOLDT COUNTY BUILDING DEPARTMENT**

Upon project approval, all necessary building permits will be obtained from the Humboldt County Building Department for all existing/proposed structures and supporting infrastructure.

**1.4.5. CAL FIRE**

The subject property is located within a State Responsibility Area (SRA) for fire protection. Proposed improvements include 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. The project proposes a designated fire turn-around and pull-out area for emergency vehicles and one (1) 2,500-gallon water tank dedicated to SRA emergency response. If needed, risers to SRA specifications will be installed for firefighting purposes.

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

A Lake and Streambed Alteration Notification will be submitted to notify CDFW of the point of diversion and the existing well.

**1.4.7. CULTURAL RESOURCES**

A Cultural Resources Survey has been conducted for this project. 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. PROPAGATION AND INITIAL TRANSPLANT

The applicants propose to propagate juvenile plants on-site from seeds and mother plants within the proposed 4,375 sq. ft. nursery (Appendix A), which is located in a portion of the 35' x 280' mixed-light greenhouse in the beginning of the cultivation season. Mother plants will remain in the vegetative stage solely for propagation. Cuttings will be sampled from the mother plants and rooted into a growing medium (e.g. oasis cubes) to produce clones. The clones will then be transferred to the vegetative nursery area, and after 2-3 weeks will be transplanted into one-gallon pots or similar. The juvenile plants will be irrigated using hand watering methods, and after three weeks they will be transplanted into their final location where they will continue their vegetative cycle and eventually flower.

### 2.2. MIXED LIGHT CULTIVATION PLAN

The project proposes 17,850 sq. ft. of mixed light cultivation and 25,710 sq. ft. of outdoor cultivation. Both mixed light and outdoor plants will be placed directly in ground and may be contained within bottomless structures designed to reduce water use.

Mixed light cultivation is proposed to occur in two (2) greenhouses (a 35' x 280' greenhouse and a 35' x 230' greenhouse) consisting of heavy gage steel tubing covered with a woven poly translucent opaque tarp. Greenhouses are proposed to be ventilated by intake and exhaust fans and will not require foundation or improved flooring. Supplemental lighting will be used to produce up to three (3) flowering harvests per year. Any greenhouse or propagation area with supplemental lighting will be properly maintained by shielding so little to no light escapes. Light shall not escape at a level this is visible from neighboring properties between sunset and sunrise. Mixed light cultivation will utilize solar power until PG&E is installed.

Outdoor cultivation may occur within light deprivation greenhouses on grade or as full sun outdoor. The greenhouse will consist of metal tubing covered with a woven poly translucent opaque tarp. Light deprivation may be used to produce up to two (2) flowering harvests per year. 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 will occur using drip irrigation and top-feed hand watering methods. While most irrigation needs will be on automatic drip, some irrigation and fertigation may be more efficiently managed via hand watering, which allows for daily inspection of each plant by the cultivator. Daily inspection of each plant allows the cultivator to tailor irrigation and nutrient application based on the needs of each individual plant. The monthly Cultivation Schedule in Appendix B details the irrigation activities associated with all cultivation.

### 2.4. PROCESSING (HARVESTING, DRYING AND TRIMMING)

Plants that are ready for harvest will have their flowering branches removed and placed in proposed 50'x50' drying structure (Appendix A), where they will be suspended and left to dry for approximately one week. The dried flowers will be bucked into manageable buds and transported to an off-site processing facility until the proposed processing facility is constructed.

Propocessing is to occur in the proposed one-story 20' x 20' sq. ft. commercial processing facility. The facility will incorporate trimming activities and will include an ADA restroom for employees. The restroom will include a working flush toilet as well as a sink with cold and hot running water provided



by an on demand electric water heater. The proposed metal building will have an engineered concrete slab and will conform to commercial building standards per the 2016 California Building Code.

## **2.5. EMPLOYEE PLAN**

The applicant is an “agricultural employer” as defined in the Alatorre-Zenovich-Dunlap-Berman Agricultural Labor Relations Act of 1975 (Part 3.5 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 commercial cannabis. Responsibilities include but are not limited to: plant propagation and transplant, soil management, irrigation, fertilization, pesticide management, and harvest activities. This is a full-time, year-round position.
- *Assistant Cultivator / Processing Manager*: 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. Once processing activities commence, the *Assistant Cultivator* duties switch to oversight and management of processing the dried commercial cannabis. This is a full-time, seasonal position.
- *Seasonal Laborer*: Provides cultivation, harvesting, and drying support. 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) full-time seasonal labor position may be employed. The number of seasonal laborers varies based on the needs of the farm during the cultivation and harvest. During peak operational periods, the operation may require up to eight (8) employees.

### **2.5.3. EMPLOYEE TRAINING AND SAFETY**

On-site cultivation, harvesting and drying will be performed by employees trained on each aspect of the procedure including cultivation/harvesting techniques, use of pruning tools, and proper application/storage of pesticides and fertilizers. All cultivation staff will be provided with proper hand, eye, body and respiratory Personal Protective Equipment (PPE). Access to the on-site cultivation and drying facilities will be limited to authorized and trained staff. All employees will be trained on proper safety procedures including fire safety, use of PPE, proper hand washing guidelines, and emergency protocol. 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 are kept on site and accessible to employees.

### **2.5.4. TOILET AND HANDWASHING FACILITIES**

The proposed commercial processing facility will have a restroom with ADA accommodations. Prior to construction of the commercial processing facility, portable toilets will be used and will be serviced at regular intervals. Cultivation employees will have access to anti-bacterial Liquid Soap and paper hand towels. Work will occur at a distance no greater than 400 feet from the restroom facility.

### 2.5.5. ON SITE HOUSING

There residential structure on the project site. Although the Agent in Charge and Lead Cultivator both plan to live on site, the residence is not proposed as part of cultivation operations and will not be associated with the proposed project.

### 2.5.6. PARKING PLAN

Parking is proposed to be located near the cultivation area and the processing facility (Appendix A).

## 2.6. SECURITY PLAN AND HOURS OF OPERATION

### 2.6.1. FACILITY SECURITY

The property is accessed through an entry gate that remains locked at all times. Cultivation facilities (greenhouses, storage sheds, drying facility) will only be accessible through the locked gate. Access to the area is limited to employees and approved personnel including agency staff, consultants, and distributors.

### 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 harvesting and drying typically occur no earlier than 8 AM and extend no later than 8 PM.

## 3. ENVIRONMENT

### 3.1. WATER SOURCE, STORAGE, AND PROJECTED USE

Domestic water is sourced from a spring point of diversion (not proposed for cannabis use).

Irrigation water is proposed to be sourced from rainwater and an existing well. Greater than half of irrigation demand is proposed to come from the rainwater collection system. The rainwater collection system is comprised of rainwater catchment tanks and a proposed 300,000-gallon rainwater catchment pond. The proposed tank capacity is 80,000 gallons. The total rainwater storage, including the 300,000 gallon pond, would be 380,000 gallons.

The annual water demand is estimated to be approximately 653,400 gallons (15 gallons/sq. ft.). Table 1 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 1: Estimated Annual Irrigation Water Usage (gallons)*

Jan	Feb	Mar	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Total
-	-	-	45.2k	75k	126k	152k	135k	75k	45.2k	-	-	653,400

The estimated amount of available rainwater was based on the existing and proposed capture area and historic rainfall data. Rainfall data was collected from PRISM Climate Group (PRISM Climate Data, 2021), which provides site-specific average annual rainfall data based on topography and historic precipitation values. Based on rainfall values from 1895-2020, the average rainfall for the project area is 94.99 inches (7.9 ft.).

Existing areas of available rainfall capture are comprised of three (3) catchment surfaces: the residence, the rainwater catchment tanks, and the rainwater catchment pond. Refer to Table 2 for details of details of the potential harvest volume.



Table 2: Rainwater catchment surface details and harvest volume potential during an average year.

Catchment Surface	Catchment Area (sf)	Average Annual Rainfall (in)	Volume (ft <sup>3</sup> )	Volume (gal)	Potential Harvest Volume (gal)
Residence	1,800	94.99	14,249	106,589*	104,457
Water Tanks	2,400	94.99	34,492	33,605**	33,605
Pond	6,362	94.99	50,362	376,733**	300,000

\*A collection factor of 98% percent was used for the residence

Total = 438,062 gal

\*\*A collection factor of 100% was used for the rainwater catchment ponds and tanks

On an average rainfall year, it has been estimated that there is a potential of approximately 438,062 gallons of potential rainwater harvest. During an average rainfall year there is more than adequate rainfall potential to fill all 380,000 gallons of storage, and fulfill greater than 50 percent of irrigation demands for the proposed project during a typical rainfall year (Table 3).

Table 3: Water Source and Use During a Typical Cultivation Year

	Jan	Feb	Mar	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Totals
Well	-	-	-	45.2k	75k	126k	77.2k	-	-	-	-	-	323,400
Rain	-	-	-	-	-	-	74.8k	135k	75k	45.2k	-	-	330,000
Totals	-	-	-	45.2k	75k	126k	152k	135k	75k	45.2k	-	-	653,400

Although there is plenty of rainfall potential to fulfill project demands on an average year, the record low year was also analyzed to demonstrate the available rainfall potential during a low rainfall year of 24.31 inches. During a low rainfall year, rainwater harvesting may only have the potential to fill up 20% of storage. During those years, the well will be utilized to help fill up storage capacity.

### 3.1.1. SITE DRAINAGE, RUNOFF, AND EROSION CONTROL

The applicant will enroll with the State Water Resources Control Board (SWRCB) for coverage under the General Order. Upon enrollment, a Site Management Plan (SMP) for existing site conditions will be developed; the SMP will detail erosion control and sediment capture measures, as well as road maintenance and runoff activities.

### 3.1.2. STORMWATER MANAGEMENT PLAN

The proposed cultivation activities will take place on a proposed graded flat, on slopes less than 15%. Cultivation that may occur in pots is not expected to impact the drainage characteristics of site soils, and cultivation that may occur in light-deprivation hoop houses will not increase stormwater runoff as the skins will be removed prior to the rainy season annually.

The 17,850 sq. ft. of mixed-light greenhouses, the proposed 2,500-sq. ft. drying building, and the 400-sq. ft. processing building will slightly increase onsite impermeable surfaces. This 20,750 sq. ft. of impermeable surface comprises approximately 4% percent of the 522,720-sq. ft. (11.98-acre) parcel. Drainage and stormwater runoff will be addressed in the Erosion and Sediment Control Plan, which will be submitted to the Humboldt County Planning and Building Department with the Grading Permit application. Stormwater management for the remainder of the property will also be addressed in the SMP, which will also include recommendations for road network maintenance. In addition, proposed development is located greater than 100-feet from any watercourses, providing a sufficient buffer to prevent potential sediment or nutrient delivery.



### 3.1.3. EROSION CONTROL

The SMP and the Grading Permit will include erosion and sediment control best practicable treatment controls (BPTCs) designed to prevent, contain, and reduce sources of sediment. Additionally, the SMP will include site-specific corrective actions to ensure property maintenance and erosion control.

### 3.2. WATERSHED AND HABITAT PROTECTION

All proposed cultivation activities will be set back at least 100-ft from any drainages and watercourses on site, greater than the 50-ft setback required by the County's Streamside Management Ordinance. These setbacks should provide a suitable buffer between the cultivation operation and habitat. Adherence to the Site Management Plan will ensure that erosion control and sediment capture BPTC measures are in place to prohibit water quality degradation of the nearby river. Any grading and earthwork activities will be conducted by a licensed contractor in accordance with approved grading permits.

Additionally, the applicant will follow all recommendations in the Biological Resources Assessment, which has been prepared for the property by Timberland Resource Consultants (2021).

### 3.3. INVASIVE VEGETATIVE SPECIES CONTROL PLAN

Once proposed cultivation activities commence, the cultivation area will be monitored for invasive species. If invasive species are located, hand tools (shovels, weed wrenches, trowels, or hand saws) may be used to remove them. The exact rate and method of invasive species removal will be determined based on the species identified. The areas of disturbance shall be surveyed and maintained twice each year, at a minimum, as part of the invasive species control plan.

The following is a partial list of websites to be used for proper identification and treatment:

1. <https://calflora.org/>
2. <https://plants.usda.gov/java/>
3. <https://www.cal-ipc.org/>
4. <https://www.cal-ipc.org/solutions/>
5. <http://www.rareplants.cnps.org/>
6. <https://www.wildlife.ca.gov/Conservation/Plants#22064102-california-native-plant-information>
7. <http://ucjeps.berkeley.edu/>
8. [http://wetland-plants.usace.army.mil/nwpl\\_static/v33/home/home.html](http://wetland-plants.usace.army.mil/nwpl_static/v33/home/home.html)
9. <https://www.fws.gov/invasives/partnerships.html>

### 3.4. MATERIALS MANAGEMENT PLAN

Cultivation, harvesting, and drying shall be performed by employees trained on each aspect of the procedure, including cultivation and harvesting techniques, the use of pruning tools, and proper application/storage of pesticides/ and fertilizers. 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. Mixing of fertilizers in small storage tanks is solely conducted in a designated area (to be determined) where the mix will not enter surface waters. For young plants, the mix is applied via watering wand and mature plants are fertigated at agronomic rates by drip emitters or hand watering methods. Spent soil is amended and reused as needed. The application of any agricultural chemical products will be conducted according the manufacturer's recommendation.

Employees are trained on usage and handling procedures of associated equipment and cleaning procedures. Chemicals and hazardous materials are only used with equipment as recommended by manufacturers. Cleaning will occur regularly with instructions based on the manufacturer's recommendations. All cleaning materials will be put away and stored properly within secondary containment when not in use and hazardous containers will be properly disposed of. Additionally, if there are any spills on site, there will be a spill kit with sorbent pads will be accessible.

On-site inventory is kept for all chemical. Chemicals are used and stored based on manufacturer's recommendations and requirements. Any materials required for use of chemicals will be provided to employees. The material safety data sheets (MSDS) are kept on site and accessible to employees.

All hazardous waste will be stored within secondary containment. Additionally, a log will be kept in order to keep the volume of hazardous waste accounted for. Fertilizers and pesticides are being stored in a separate location from petroleum products. The aforementioned products will be located within secondary containment in a storage shed. No rodenticides will be used on site. At the end of the season, any unused liquid products are stored in secondary containment and will be applied the following year. Before unused products are stored at the end of the season, an employee will take inventory on the volumes and products. Additionally, all waste will be properly disposed of off-site and the correct facility. All trash, empty product containers, and recycling are hauled off-site bi-weekly to nearest licensed waste management facility.

Appropriate BPTC measures are being utilized when storing, handling, mixing, applying, and disposing of all fertilizers, pesticides, herbicides, rodenticides, or any other hazardous materials. Each year an inventory is conducted prior to the beginning of the grow season and necessary products are delivered to the site as needed.

### **3.5. SOILS MANAGEMENT PLAN**

The applicant is proposing to plant all cultivation in pots within the hoop structures. The applicants will account for and keep records of annual and seasonal volumes of soil imported and exported on and off site. Any purchased soils will be reamended for use the following year. During the wet season, any soil piles will be located in a flat area outside of riparian setbacks and winterized, likely with a tarp underneath the pile and straw wattles located around the pile to prevent leachate from entering surface waters. Potential spent soils will be properly disposed of off-site at an appropriate facility.

### **3.6. HAZARDOUS WASTE STATEMENT**

There are no hazardous materials mapped onsite. The site has been historically utilized for a residential property. No industrial activities have occurred on site. A search of the EnviroSTOR database shows no GeoTracker Cleanup Programs on-site.

### **3.7. ENERGY PLAN**

Power will be sourced from a proposed PG&E drop. Until PG&E is intalled, power will be sourced from a solar system with a battery bank. A generator will remain onsite for backup emergency use.

### **3.8. WASTE MANAGEMENT**

#### **3.8.1. CULTIVATION**

Waste generated from domestic activities is stored in wildlife-proof containers; the waste will be transported to an appropriate facility weekly as needed. Organic cultivation-related waste, including root balls, branches, and leaves will be hauled off site to a green waste management facility as needed. Trash and recycling from cannabis operations, including empty soil or fertilizer bags, liquid fertilizer bottles, cultivation supplies, etc., will be taken to the nearest waste management facility as needed.



**3.8.2. SEWAGE DISPOSAL PLAN**

The applicant is proposing to construct an ADA bathroom in the processing building. In the interim, employees will have access to restroom inside of the residence. The residence has a permitted septic system.

**4. PRODUCT MANAGEMENT****4.1. PRODUCT TESTING AND LABELING**

Samples will be selected from individual harvested cannabis strains and tested by a licensed third-party lab in accordance with State and local standards. The finished product is labeled and will include tracking ID's provided by the California Cannabis Track-and-Trace (CCTT) METRC system.

**4.2. PRODUCT INVENTORY AND TRACKING**

The applicants will follow all regulations and requirements set by the CCTT-METRC system. After approval of state licenses related to the proposed cultivation, the applicants will request credentials and order unique identifiers (UIDs) which will be assigned to each immature lot, flowering plant, and distinct cannabis product.

**4.3. TRANSPORTATION AND DISTRIBUTION**

Transportation will be handled by a licensed transporter/distributor in accordance with State and Local regulations. All merchantable product will be distributed through licensed commercial cannabis dispensaries. The CCTT-METRC system will be used for all transactions with distributors or transporters.

## APPENDIX B: CULTIVATION ACTIVITIES SCHEDULE

Item	Description	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Drainage, Runoff, and Erosion Control	Winterization (storage of pots/greenhouse covers)												
	Temporary Erosion Control BMP's (straw, seeding, fiber rolls, etc.)												
	Road maintenance												
	Culvert and inboard ditch maintenance/inspection												
Irrigation Activities	Cover soil beds and seed / straw with cover crop												
	Irrigation of juvenile plants/clones												
	Irrigation of flowering plants												
Pre-cultivation Activities	Transplant clones into beds												
	Amend soil in beds												
	Import new cultivation soil												
Mixed-Light Cultivation and Harvest Schedule	Mixed-Light Cultivation Cycle 1												
	Mixed-Light Cultivation Cycle 2												
	Mixed-Light Cultivation Cycle 3												
	Harvest activities												
	Drying Activities												
Light-Deprivation Cultivation and Harvest Schedule	Light-Deprivation Cultivation Cycle 1												
	Light-Deprivation Cultivation Cycle 2												
	Harvest activities												
	Drying Activities												
	Outdoor Cultivation Cycle												
Outdoor Cultivation and Harvest Schedule	Harvest activities												
	Drying Activities												
	Agent in Charge												
	Lead Cultivator												
	Assistant Cultivator												
Staffing Presence	Seasonal Laborers												

## APPENDIX C: REFERENCES

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State Board of Equalization. Information on the Sales and Registration for Marijuana Sellers. June 2007.

<<http://www.boe.ca.gov/news/pdf/173.pdf>>

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HUMBOLDT COUNTY DEPARTMENT OF PUBLIC WORKS  
ROAD EVALUATION REPORT

**PART A:** *Part A may be completed by the applicant*

Applicant Name: Homegrown, LLC APN: 107-272-0011

Planning & Building Department Case/File No.: \_\_\_\_\_

Road Name: Old Hindley Ranch Road *(complete a separate form for each road)*

From Road (Cross street): Mattole Rd

To Road (Cross street): Private Driveway

Length of road segment: 0.1 Miles miles Date Inspected 9/3/21

Road is maintained by: ☐ County ☒ Other private  
(State, Forest Service, National Park, State Park, BLM, Private, Tribal, etc)

Check one of the following:

**Box 1** ☐ The entire road segment is developed to Category 4 road standards (20 feet wide) or better. If checked, then the road is adequate for the proposed use without further review by the applicant.

**Box 2** ☒ The entire road segment is developed to the equivalent of a road category 4 standard. If checked, then the road is adequate for the proposed use without further review by the applicant.

*An equivalent road category 4 standard is defined as a roadway that is generally 20 feet in width, but has pinch points which narrow the road. Pinch points include, but are not limited to, one-lane bridges, trees, large rock outcroppings, culverts, etc. Pinch points must provide visibility where a driver can see oncoming vehicles through the pinch point which allows the oncoming vehicle to stop and wait in a 20 foot wide section of the road for the other vehicle to pass.*

**Box 3** ☐ The entire road segment is not developed to the equivalent of road category 4 or better. The road may or may not be able to accommodate the proposed use and further evaluation is necessary. Part B is to be completed by a Civil Engineer licensed by the State of California.

The statements in PART A are true and correct and have been made by me after personally inspecting and measuring the road.

Signature

Date

Name Printed



# Road Evaluation Map

APN: 107-272-011

Old Hindley Ranch Road via Mattole Road  
Road Segment Length = 0.1 miles

OLD HINDLEY RANCH ROAD



Photo Point 1

Photo Point 3

Photo Point 2

Photo Point 4

APN: 107-272-011

Applewood Rd

Mattole Rd

Burre Rd

Mattole Rd

Ice Rd

N

700 ft

Google Earth



HUMBOLDT COUNTY DEPARTMENT OF PUBLIC WORKS  
ROAD EVALUATION REPORT

**PART A:** *Part A may be completed by the applicant*

Applicant Name: Homegrown, LLC APN: 107-272-0011

Planning & Building Department Case/File No.: \_\_\_\_\_

Road Name: Old Hindley Ranch Road *(complete a separate form for each road)*

From Road (Cross street): Mattole Rd

To Road (Cross street): Private Driveway

Length of road segment: 0.1 Miles miles Date Inspected 9/3/21

Road is maintained by: ☐ County ☒ Other private  
(State, Forest Service, National Park, State Park, BLM, Private, Tribal, etc)

Check one of the following:

**Box 1** ☐ The entire road segment is developed to Category 4 road standards (20 feet wide) or better. If checked, then the road is adequate for the proposed use without further review by the applicant.

**Box 2** ☒ The entire road segment is developed to the equivalent of a road category 4 standard. If checked, then the road is adequate for the proposed use without further review by the applicant.

*An equivalent road category 4 standard is defined as a roadway that is generally 20 feet in width, but has pinch points which narrow the road. Pinch points include, but are not limited to, one-lane bridges, trees, large rock outcroppings, culverts, etc. Pinch points must provide visibility where a driver can see oncoming vehicles through the pinch point which allows the oncoming vehicle to stop and wait in a 20 foot wide section of the road for the other vehicle to pass.*

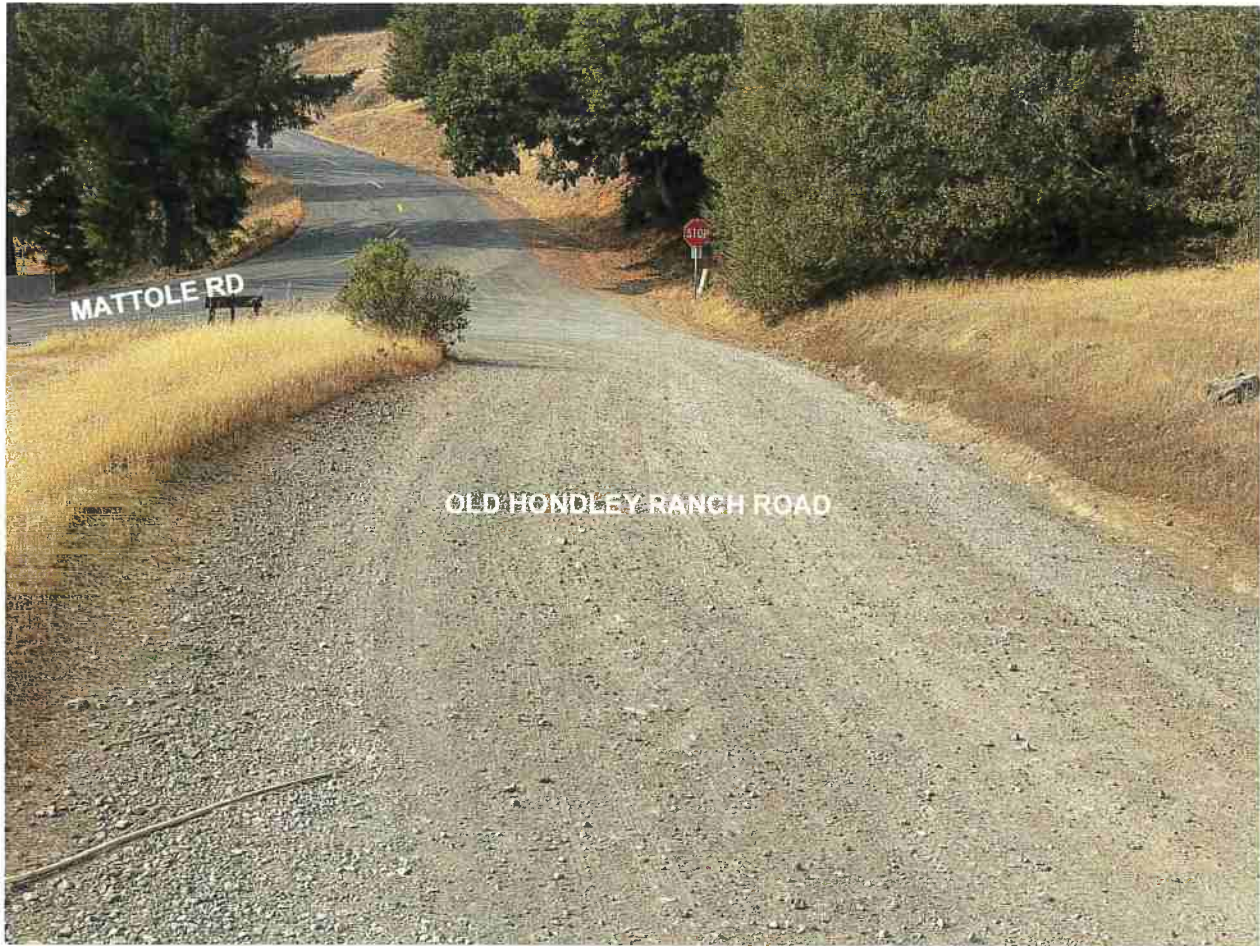
**Box 3** ☐ The entire road segment is not developed to the equivalent of road category 4 or better. The road may or may not be able to accommodate the proposed use and further evaluation is necessary. Part B is to be completed by a Civil Engineer licensed by the State of California.

The statements in PART A are true and correct and have been made by me after personally inspecting and measuring the road.

Signature \_\_\_\_\_

Date \_\_\_\_\_

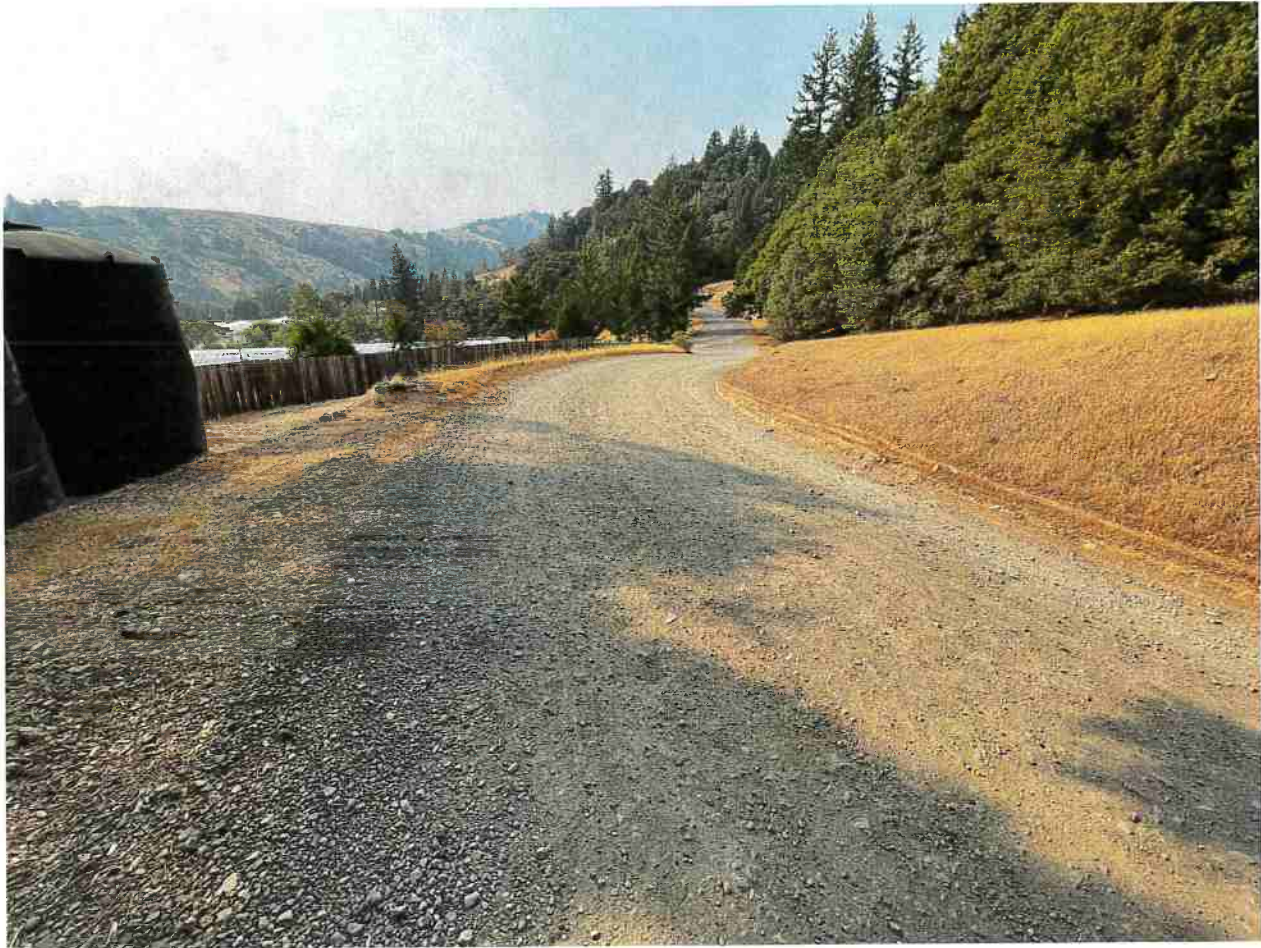
Name Printed \_\_\_\_\_



**Photo Point 1. Intersection of Mattole Road and Old Hindley Ranch Road (Road Width =  $\pm 20$  feet).**

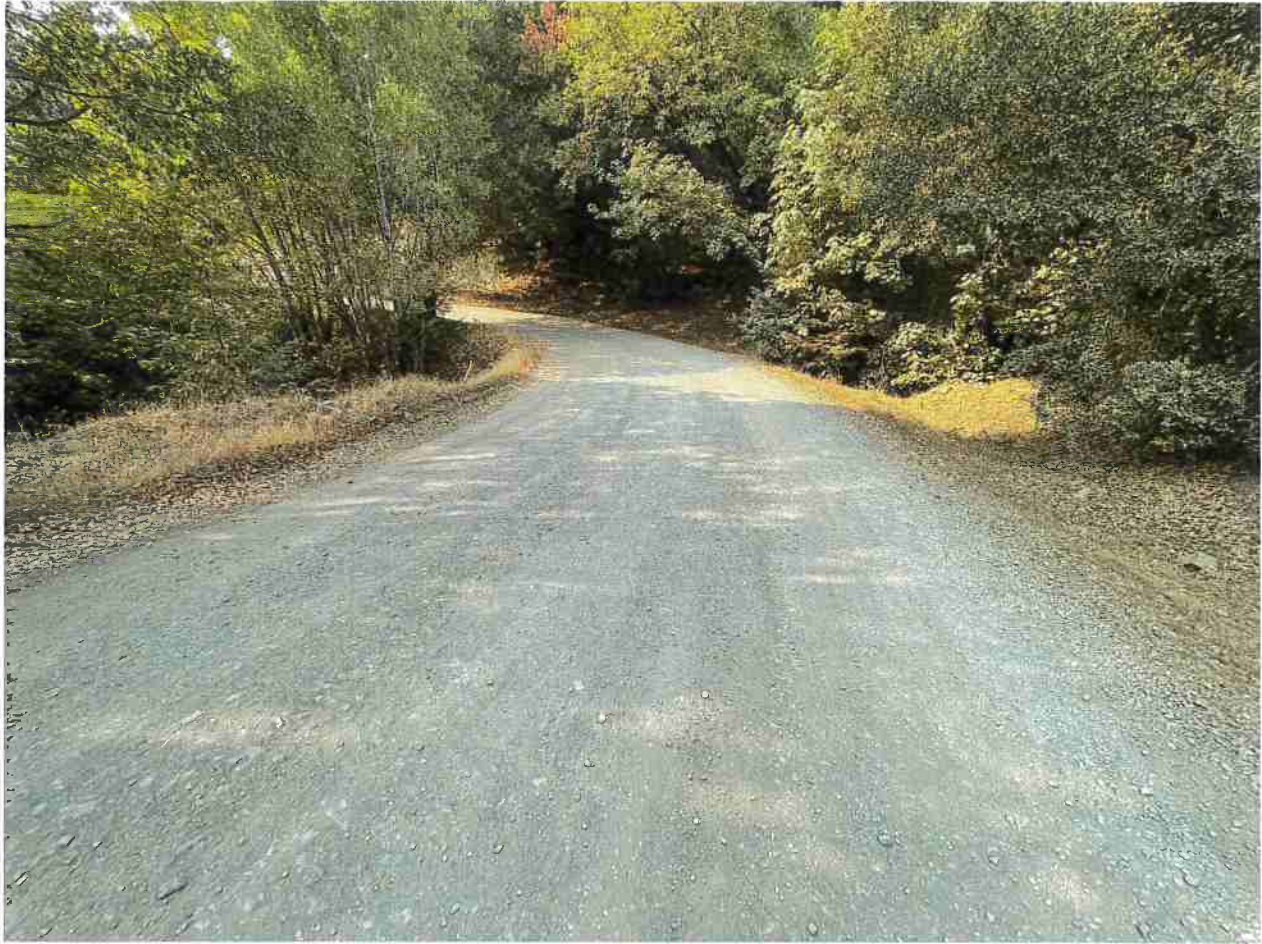






**Photo Point 2. First bend on Old Hindley Ranch Road with ample visibility, facing Mattole Road (Road Width =  $\pm 20$  feet).**

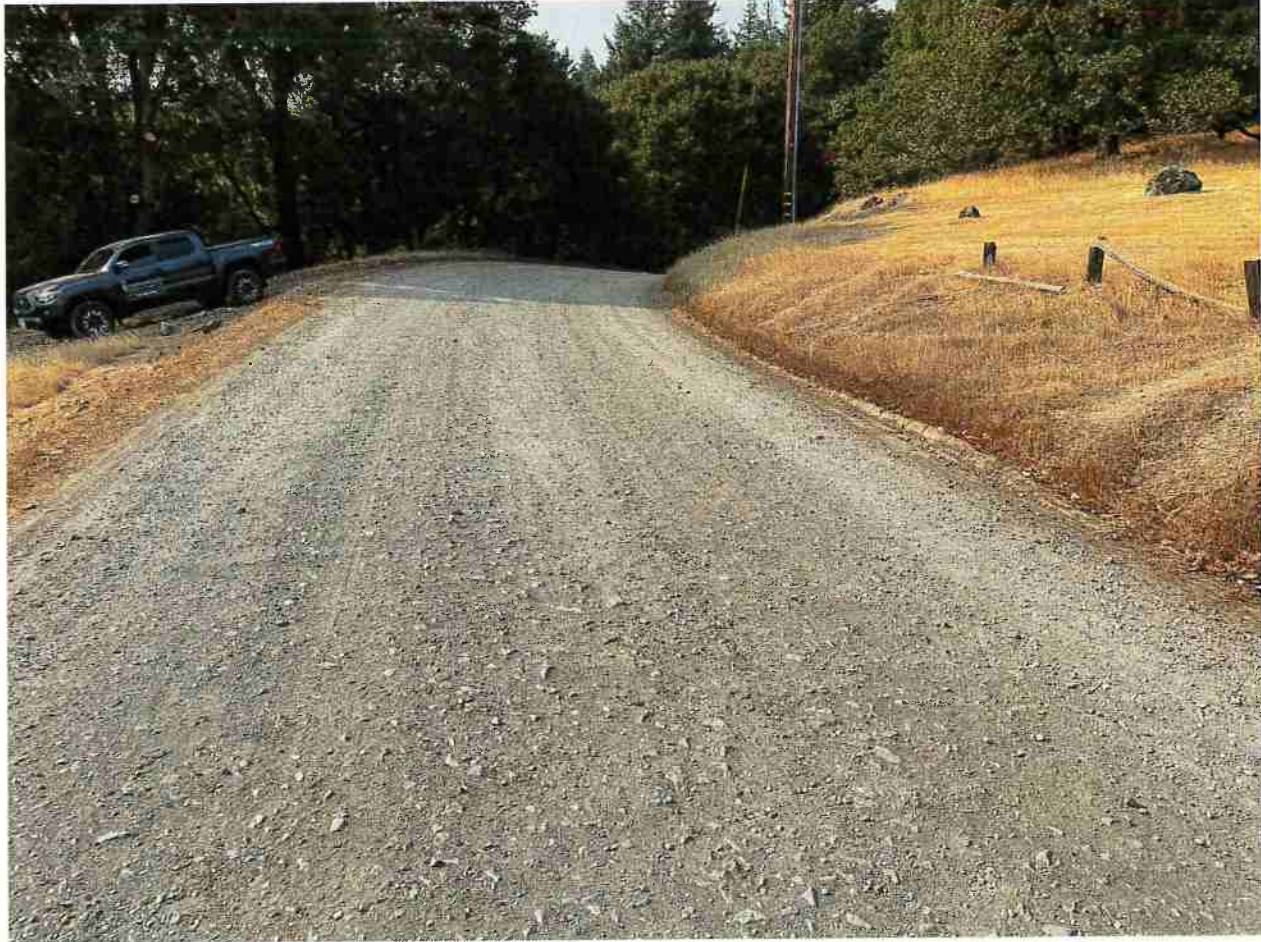




**Photo Point 3. Second bend on Old Hindley Ranch Road with ample visibility, facing towards Mattole Road (Road Width =  $\pm 20$  feet).**







**Photo Point 4. Vehicle Entering Subject Driveway off Old Hindley Ranch Road with ample visibility, facing towards Mattole Road (Road Width =  $\pm 20$  feet).**

## ATTACHMENT 4

### REFERRAL AGENCY COMMENTS AND RECOMMENDATIONS

The project was referred to the following referral agencies for review and comment. Those agencies that provided written comments are checked off.

Referral Agency	Response	Recommendation	Location
Building Inspection Division		Approval	<b>Attached</b>
Division Environmental Health	✓	Conditional Approval	<b>Attached</b>
Public Works, Land Use Division	✓	Conditional Approval	<b>Attached</b>
California Department of Fish & Wildlife		No response	
Northwest Information Center	✓	Further Study	On file and confidential
District Attorney		No response	
CalFire		No comment	On file
Bear River Band Rancheria		No response	
AG Commissioner		No response	
Intertribal Sinkyone Wilderness Council		No response	
Regional Water Quality Control Board		No response	
North Coast Unified Air Quality Management District		No response	
County Counsel		No response	
State Water Resources Control Board – Division of Water Resources		No response	
California Division of Water Rights		No response	
Sheriff		No response	
Mattole Union School District		No response	
Supervising Planner		No response	



**COUNTY OF HUMBOLDT**  
**PLANNING AND BUILDING DEPARTMENT**  
**BUILDING DIVISION**

3015 H STREET EUREKA CA 95501  
PHONE: (707) 445-7245 FAX: (707) 445-7446

## Building Division's Referral Comments for Cannabis Operations:

Accela Record No: \_\_\_\_\_ APN: \_\_\_\_\_


The following comments apply to the proposed project, (check all that apply).

- ☐ Site plan appears to be accurate.
- ☐ Site plan is not accurate, submit revised site plan showing the following items:
  - ☐ All grading including ponds and roads,
  - ☐ Location of any water course including springs,
  - ☐ All structures including size and use and all setbacks from each other, above stated items, and property lines.
  - ☐ \_\_\_\_\_
  - ☐ \_\_\_\_\_
- ☐ Existing operation appears to have expanded as follows: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- ☐ Proposed new operation has already started.
- ☐ Development is near a wet area. If yes, distance from development: \_\_\_\_\_
- ☐ Development is near a Stream side Management Area (SMA). If yes, distance from development: \_\_\_\_\_
- ☐ Recommend approval based on the condition that all required grading, building, plumbing, electrical, and mechanical permits and or Agricultural Exemptions are obtained.
- ☐ Other Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Name: \_\_\_\_\_

Date: \_\_\_\_\_

Note: Please take photographs and save them to the Planning Accela record number. Updated 8/21

PLN-2021-17510 

Homegrown, LLC  
Special Permit for 43,5...

**STATUS**

> Referrals  
11/19/2021 by Liz K...

**LOCATION**

> 125 Old Hindley Ra...  
Honeydew, CA 955...

**CONTACT**

> Homegrown, LLC

**WORKFLOW**

> 18 total Task  
● 6 completed ○...

Summary

Project Description

Workflow

1 Referral Assignments

2 Planning Information

3 GP / Zoning Information

4 CEQA

5 Cannabis

Annual Compliance

Project Tracking

6 Referral Task Log (2)

Cancel

Help

Task

Environmental Health

Due Date

12/23/2021

Assigned Date

Assigned to Department  
Environmental Health

Assigned to

Status

Approved with Conditions

Action by Department  
Environmental Health

Action By  
Joey Whittlesey

Status Date

12/13/2021

Start Time

End Time

Hours Spent

0.0

Billable

No

Overtime

No

Comments

DEH has no well completion report on record associated with the well proposed as the source of water. Owner shall either provide evidence of an approved permit, destroy the well, legalize the well through installation of a new sanitary surface seal, or provide compelling evidence that the well was installed prior to February, 1973. Applicant shall submit a County certified CEQA Environmental Document resulting from this project's Planning review that explicitly address the well and all environmental impacts associated with its proposed use prior to DEH approval of water well permit.

Processing activities must be supported by an approved onsite wastewater treatment system. Seasonal/outdoor cultivation sites may be supported by portable toilets. Applicant must obtain a permit for, and install, an approved onsite wastewater treatment system to support the processing location and either install approved septic systems or provide portable toilets to cultivation areas.

Time Tracking Start Date

Est. Completion Date

In Possession Time (hrs)

Display E-mail Address in ACA

No

☒ Display Comment in ACA

Comment Display in ACA

☒ All ACA Users





DEPARTMENT OF PUBLIC WORKS  
**C O U N T Y   O F   H U M B O L D T**  
MAILING ADDRESS: 1106 SECOND STREET, EUREKA, CA 95501-0579  
AREA CODE 707

ON-LINE  
WEB: CO.HUMBOLDT.CA.US

PUBLIC WORKS BUILDING  
SECOND & L ST., EUREKA  
FAX 445-7409

ADMINISTRATION	445-7491	NATURAL RESOURCES	445-7741
BUSINESS	445-7652	NATURAL RESOURCES PLANNING	267-9540
ENGINEERING	445-7377	PARKS	445-7651
FACILITY MANAGEMENT	445-7493	ROADS	445-7421

CLARK COMPLEX  
HARRIS & H ST., EUREKA  
FAX 445-7388

LAND USE	445-7205
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**LAND USE DIVISION INTEROFFICE MEMORANDUM**

TO: Michael Holtermann, Planner, Planning & Building Department

FROM: Kenneth M. Freed, Assistant Engineer

DATE: 11/30/2021

RE:

Applicant Name	HOMEgrown LLC
APN	107-272-011
APPS#	PLN-2021-17510

The Department has reviewed the above project and has the following comments:

- ☒ The Department's recommended conditions of approval are attached as **Exhibit "A"**.
- ☐ Additional information identified on **Exhibit "B"** is required before the Department can review the project. **Please re-refer the project to the Department when all of the requested information has been provided.**
- ☐ Additional review is required by Planning & Building staff for the items on **Exhibit "C"**. **No re-refer is required.**
- ☐ *Road Evaluation Reports(s)* are required; See **Exhibit "D"**

**Note:** Prior to requesting an applicant to submit a road evaluation report, verify if the project is exempt from meeting road system performance standards under CCLUO v2.0 sections 313-55.4.6.5.1 and 314-55.4.6.5.1, even if this box is checked.

**No re-refer is required.**

\*Note: Exhibits are attached as necessary.

Additional comments/notes:

Applicant has submitted a road evaluation report, dated 09/03/21, with Part A –Box 2 checked, certifying that the road is equivalent to a road Category 4 standard.

The intersection of Mattole Road (County maintained) and Old Hinley Ranch Road (not County maintained) is surfaced to County standards as part of an earlier cannabis project's requirements for the roadway.

Whether specifically addressed or not within the road evaluation report, per Section 1273.03 of State Fire Safe Regulations, California Code of Regulations (CCR), Title 14 Natural Resources, Division 1.5 Department of Forestry, Chapter 7 - Fire Protection, Subchapter 2 SRA Fire Safe Regulations, which have been established pursuant to California Public Resource Code Section 4290 et seq. (a) *At no point shall the grade for all roads and driveways exceed 16 percent;* (b) *The grade may exceed 16%, not to exceed 20%, with approval from the County of Humboldt Planning & Building Department with mitigations, such as paving, to provide for the same practical effect. Mitigation measures other than paving require an exception to be approved per Section 1270.06.* [Note: Fire Safe Regulations set forth in County Code Section 3111-1, et seq. have been superseded by the 01/01/2020 CCR since County Code has not been recertified by the Department of Forestry pursuant to Section 1270.04.]

// END //



Public Works Recommended Conditions of Approval

(All checked boxes apply) APPS # 17510

- ☐ COUNTY ROADS- PROXIMITY OF FARMS:  
Applicant is advised that County maintained roads may generate dust and other impacts to farm(s). Applicant shall locate their farm(s) in areas not subject to these impacts. Applicant shall be responsible for protecting their farm(s) against these impacts. Applicant shall hold the County harmless from these impacts. Applicant is advised that a paved road may not always remain paved and Applicant shall locate their farms appropriately. Applicant is advised that the amount of traffic on a road will vary over time which may increase or decrease the impacts.
- ☐ COUNTY ROADS- FENCES & ENCROACHMENTS:  
All fences and gates shall be relocated out of the County right of way. All gates shall be setback sufficiently from the County road so that vehicles will not block traffic when staging to open/close the gate. In addition, no materials shall be stored or placed in the County right of way.  
  
This condition shall be completed to the satisfaction of the Department of Public Works prior to commencing operations, final sign-off for a building permit, or Public Works approval for a business license.
- ☐ COUNTY ROADS- DRIVEWAY (PART 1):  
The submitted site plan is unclear and/or shows improvements that are inconsistent with County Code and/or Department of Public Works policies. The applicant is advised that these discrepancies will be addressed at the time that the applicant applies to the Department of Public Works for an Encroachment Permit. If the applicant wishes to resolve these issues prior to approval of the Planning & Building permit for this project, the applicant should contact the Department to discuss how to modify the site plan for conformance with County Code and or Department of Public Works policies. Notes:
- ☐ COUNTY ROADS- DRIVEWAY (PART 2):  
Any existing or proposed driveways that will serve as access for the proposed project that connect to a county maintained road shall be improved to current standards for a commercial driveway. An encroachment permit shall be issued by the Department of Public Works prior to commencement of any work in the County maintained right of way. This also includes installing or replacing driveway culverts; minimum size is typically 18 inches.
  - If the County road has a paved surface at the location of the driveway, the driveway apron shall be paved for a minimum width of 18 feet and a length of 50 feet.
  - If the County road has a gravel surface at the location of the driveway, the driveway apron shall be rocked for a minimum width of 18 feet and a length of 50 feet.
  - If the County road is an urban road, frontage improvements (curb, gutter, and sidewalk) shall also be constructed to the satisfaction of the Department. Any existing curb, gutter or sidewalk that is damaged shall be replaced.  
The exact location and quantity of driveways shall be approved by the Department at the time the applicant applies to the Department of Public Works for an Encroachment Permit.  
  
This condition shall be completed to the satisfaction of the Department of Public Works prior to commencing operations, final sign-off for a building permit, or Public Works approval for a business license.
- ☐ COUNTY ROADS- DRIVEWAY (PART 3):  
The existing driveway will require substantial modification in order to comply with County Code. The applicant may wish to consider relocating the driveway apron if a more suitable location is available.
- ☐ COUNTY ROADS-PARKING LOT- STORM WATER RUNOFF:  
Surfaced parking lots shall have an oil-water filtration system prior to discharge into any County maintained facility.  
  
This condition shall be completed to the satisfaction of the Department of Public Works prior to commencing operations, final sign-off for a building permit, or Public Works approval for a business license.
- ☒ COUNTY ROADS- DRIVEWAY & PRIVATE ROAD INTERSECTION VISIBILITY:  
All driveways and private road intersections onto the County Road shall be maintained in accordance with County Code Section 341-1 (Sight Visibility Ordinance).  
  
This condition shall be completed to the satisfaction of the Department of Public Works prior to commencing operations, final sign-off for a building permit, or Public Works approval for a business license.
- ☐ COUNTY ROADS- PRIVATE ROAD INTERSECTION: (AT COUNTY MAINTAINED RD)  
Any existing or proposed non-county maintained access roads that will serve as access for the proposed project that connect to a county maintained road shall be improved to current standards for a commercial driveway. An encroachment permit shall be issued by the Department of Public Works prior to commencement of any work in the County maintained right of way.
  - If the County road has a paved surface at the location of the access road, the access road shall be paved for a minimum width of 20 feet and a length of 50 feet where it intersects the County road.
  - If the County road has a gravel surface at the location of the access road, the access road shall be rocked for a minimum width of 20 feet and a length of 50 feet where it intersects the County road.  
This condition shall be completed to the satisfaction of the Department of Public Works prior to commencing operations, final sign-off for a building permit, or Public Works approval for a business license.
- ☐ COUNTY ROADS- ROAD EVALUATION REPORT(S):  
All recommendations in the Road Evaluation Report(s) for County maintained road(s) shall be constructed/implemented to the satisfaction of the Public Works Department prior to commencing operations, final sign-off for a building permit, or approval for a business license. An encroachment permit shall be issued by the Department of Public Works prior to commencement of any work in the County maintained right of way.

// END //