

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

Resolution Number: 25-073

Record Number: PLN-13351-CUP

Assessor's Parcel Number: 218-101-002

Resolution by the Planning Commission of the County of Humboldt certifying compliance with the California Environmental Quality Act and conditionally approving the Mark Finley Conditional Use Permit.

WHEREAS, Mark Finley provided an application and evidence in support of approving a Conditional Use Permit for 10,000 square feet of existing mixed light and 33,560 square feet of existing outdoor commercial cannabis cultivation supported by a 4,356 square foot ancillary nursery; and

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

WHEREAS, the Humboldt County Planning Commission held a duly-noticed public hearing on November 6, 2025 and reviewed, considered, and discussed the application for a Conditional Use Permit and reviewed and considered all evidence and testimony presented at the hearing.

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

- 1. FINDING:** **Project Description:** A Conditional Use Permit for 10,000 square feet of existing mixed light and 33,560 square feet of existing outdoor commercial cannabis cultivation supported by a 4,356 square foot ancillary nursery. Estimated annual water usage is 545,000 gallons sourced from a point of diversion and a rainwater catchment pond. The point of diversion is located on APN 218-091-006 shared with application 13295. The pond is also shared with both applications 13359 and 13295 on APN 218-091 -004 and 218-101-006 respectively. Total tank storage on site for the project is 175,000 gallons and the pond is estimated to have a capacity of approximately 2,155,000 gallons. Drying occurs onsite with additional processing occurring offsite. Power will be provided by

renewables, reserving generators for emergency use only.

EVIDENCE: a) Project File: PLN-13351-CUP

2. FINDING: **CEQA.** The project complies with the requirements of the California Environmental Quality Act. The Humboldt County Planning Commission has considered the Mitigated Negative Declaration previously adopted for the Commercial Medical Marijuana Land Use Ordinance as well as the Addendum to the Mitigated Negative Declaration that was prepared for the project pursuant to Section 15164 of the CEQA guidelines.

EVIDENCE:

- a) Addendum prepared for the proposed project.
- b) The proposed project does not present substantial changes that would require major revisions to the previous MND. No new information of substantial importance that was not known and could not be known at the time was presented as described by section 15162(c) of CEQA Guidelines.
- c) The project has demonstrated compliance with the State Water Board Cannabis General Order for Waste Discharge by providing a copy of the Notice of Applicability and a Site Management Plan.
- d) A review of the California Natural Diversity Database does not indicate the presence of species or sensitive communities of concern. The nearest mapped Northern Spotted Owl activity centers are (HUM0655) approximately 1.5 miles to the south and (HUM0223) approximately 2.9 miles to the northwest. The proposed project will utilize the pre-existing disturbed areas or clearings in existence prior to baseline. The project has been conditioned to ensure supplemental lighting associated with the project adheres to Dark Sky Association standards including security lighting. Conditions require the applicant to implement light and noise attenuation measures, refrain from using synthetic netting for erosion control, ensure refuse is contained in wildlife proof storage, and refrain from using anticoagulant rodenticides to further protect wildlife. It was determined that the project and operations will have less than significant impacts with adherence to the recommended conditions of approval.

- e) A review of the California Natural Diversity Database does not indicate the presence of species or sensitive communities of concern.
- f) The access road is privately maintained and can accommodate expected traffic per photographic evidence and provided road evaluation.
- g) The continued cultivation of commercial cannabis will not result in a net timber conversion.
- h) A Cultural Resource Investigation was conducted which did not identify any Tribal Cultural Resources. The project is conditioned with the standard inadvertent discovery protocol as a condition of approval.

FINDINGS FOR CONDITIONAL USE PERMIT

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

EVIDENCE: a) General agriculture is a use type permitted in the Residential Agriculture (RA) 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 Forestry Recreation (FR) zone in which the site is located.

EVIDENCE: a) The Forestry Recreation (FR) zone is intended to be applied to forested areas of the County in which timber production and recreation are the desirable predominant uses and agriculture is the secondary use, and in which protection of the timber and recreational lands is essential to the general welfare.

b) General agriculture is a principally permitted use in the Forestry Recreation (FR) zone.

- c) Humboldt County Code section 314-55.4.8.2.2 allows cultivation of up to 43,560 square feet of existing outdoor cannabis cultivation and up to 22,000 square feet of existing mixed-light commercial cannabis on a parcel over 1 acre subject to approval of a Conditional Use Permit and a determination that the cultivation was in existence prior to January 1, 2016. The application for 10,000 square feet of existing mixed light and 33,560 square feet of existing outdoor commercial cannabis cultivation supported by a 4,356 square foot ancillary nursery on a 40-acre parcel is consistent with this and with the cultivation area verification conducted by staff.
- d) All structures meet appropriate setbacks.

5. FINDING:

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

EVIDENCE:

- a) The CMMLUO allows existing cannabis cultivation to be permitted in areas zoned Forestry Recreation (FR) (HCC 314-55.4.8.2.2).
- b) The parcel was created in compliance with all applicable state and local subdivision regulations as it was created as part of the Rancho Palo Verde Subdivision by Parcel Map 58 recorded in Book 1 of Parcel Maps page 81, 84, 85.
- c) The project will obtain water from rainwater catchment, an eligible water source. The applicant has provided a rainwater catchment analysis demonstrating sufficient irrigation water can be collected in a low rainfall year. Irrigation water is also supplemented by a point of diversion. The applicant has provided a water right registration.
- d) The access road is privately maintained and can accommodate the expected traffic based on photographic evidence in the road evaluation.
- e) The slope of the land where existing cannabis will be cultivated is 0% to 30%. No new grading will occur.
- f) The continued cultivation of cannabis will not result in the net conversion of timberland.
- g) The location of the cultivation complies with all setbacks required in Section 314-55.4.11.d. It is more than 30 feet from any property line and more than 600 feet from any school, church, public park, or

Tribal Cultural Resource.

6. FINDING: The continued cultivation of existing 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 road that has been found to safely accommodate the amount of traffic generated by the proposed cannabis cultivation.
 - b) The site is in a rural part of the County where the typical parcel size is 40 acres or more and many of the land holdings are very large. The proposed cannabis will not be in a location where there is an established neighborhood or other sensitive receptor such as a school, church, park, or other use which may be sensitive to cannabis cultivation. Approving cultivation on this site and the other sites which have been approved or are in the application process will not change the character of the area due to the large parcel sizes in the area.
 - c) Irrigation water will come from a rainwater catchment, an eligible water source and supplemented by a point of diversion with an associated water right.
 - d) Provisions have been made in the applicant's proposal to protect water quality and thus runoff to adjacent property and infiltration of water to groundwater resources will not be affected.

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

- EVIDENCE:**
- a) The parcel was not included in the housing inventory of Humboldt County's 2019 Housing Element but does have the potential to support one housing unit. The approval of cannabis cultivation on this parcel will not conflict with the ability for a residence to be constructed on this parcel.

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 in the Middle Main Eel Planning Watershed, which under Resolution 18-43 is limited to 360 permits and 125 acres of cultivation. With the approval of this Conditional Use Permit, the total approved permits in this planning watershed would be 118 permits and the total approved acres would be approximately 53.1 acres of cultivation.

DECISION

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

- Adopt the findings set forth in this resolution; and
- Conditionally approves the Conditional Use Permit for Mark Finley subject to the conditions of approval attached hereto as Attachment 1.

Adopted after review and consideration of all the evidence on **November 6, 2025**.

The motion was made by COMMISSIONER NOAH LEVY and second by COMMISSIONER JEROME QIRIAZI and the following vote:

AYES: COMMISSIONERS: Iver Skavdal, Thomas Mulder, Noah Levy, Jerome Qiriazzi, Sarah West

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS: Peggy O'Neill, Lorna McFarlane

ABSTAIN: COMMISSIONERS:

DECISION: Motion carried 5/0

I, John H. 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

**CONDITIONS OF APPROVAL
PLN-13351-CUP**

APPROVAL OF THE CONDITIONAL USE PERMIT IS CONDITIONED ON THE FOLLOWING TERMS AND REQUIREMENTS.

A. Conditions subject to the compliance agreement must be satisfied before the provisional cannabis cultivation permit is no longer considered provisional. This section also includes conditions that must be completed within specified time frames or completed prior to commencing cultivation.

1. Within 60 days of the effective date of permit approval, the permittee shall execute a Compliance Agreement with the Humboldt County Planning and Building Department described under Conditions of Approval **A8** through **A9**. All activities described in the agreement must be completed to the satisfaction of the Planning and Building Department before the permit may be finalized and no longer considered provisional.
2. Within 60 days of the effective date of project approval, the permittee shall execute and file with the Planning Division the statement titled, "Notice and Acknowledgment regarding Agricultural Activities in Humboldt County," ("Right to Farm" ordinance) as required by the HCC and available at the Planning and Building Department.
3. Within 60 days of the effective date of project approval, the permittee shall pay 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. The permittee is responsible for costs for post-approval review for determining project conformance with conditions. Payment shall be made to the Humboldt County Planning Division, 3015 H Street, Eureka. Permit conformance with conditions must be demonstrated prior to release of building permit or initiation of use and at time of annual inspection.
4. Within 90 days from the effective date of project approval, the permittee shall provide an update or supplement to the Site Plan providing the following:
 - a. Location of water storage dedicated exclusively to fire protection.
 - b. Location of parking for at least eight employees.

5. Prior to resuming cultivation, the permittee shall install and maintain water meter(s) and monthly water usage logbooks to track water usage for cannabis irrigation from both the rainwater catchment pond and point(s) of diversion. Records must be kept of monthly usage and made available during annual inspections.
6. Prior to resuming cultivation, the permittee shall provide documentation demonstrating the installation of water storage dedicated exclusively to fire suppression.
7. Within 90 days of the permit effective date, the permittee shall provide either a will serve letter from the Palo Verde Voluntary Fire Company OR shall cause to be recorded an "ACKNOWLEDGMENT OF NO AVAILABLE EMERGENCY RESPONSE AND FIRE SUPPRESSION SERVICES" for the parcel(s) on a form provided by the Humboldt County Planning Division. Document review fees as set forth in the schedule of fees and charges as adopted by the Board of Supervisors will be required.
8. The permittee shall obtain permits or exemptions for all structures associated with the cannabis operation.
9. The permittee shall obtain after the fact grading permits associated with cannabis cultivation and propagation areas.
10. The permittee shall provide documentation demonstrating that the sight visibility standards and encroachment for M Road intersection with Island Mountain Road have been met to the satisfaction of Public Works.
11. Within 90 days of the effective date of permit approval, the permittee shall record an easement and/or contingent easement between APNs 218-091-094; 218-091-009; 218-091-006; 218-101-003; and 218-101-002 regarding placement of water lines to connect the pond on 218-091-004 and irrigation systems serving project application numbers 13359, 13295, and 13351.
12. Within 180 days of the effective date of permit approval, the permittee shall provide documentation demonstrating they have formed or joined a Road Maintenance Association or entered into a road maintenance agreement with other owners along M Road.

13. Per the October 27, 2025 comments from the California Department of Fish and Wildlife (CDFW), the Permittee shall:
 - a. Submit a new notification or transfer the existing Lake or Streambed Alteration Agreement (LSAA) to the current owners no later than December 15, 2025.
 - b. Provide CDFW with a timeline no later than December 15, 2025 for completing the LSAA.
 - c. Provide and implement American bullfrog management plan to the satisfaction of the Planning and Building Department no later than April 15, 2026
 - d. Prior to any cultivating, all water bladders must be decommissioned and removed.
 - e. Cultivation in the area labeled CA#1 on the site plan shall not occur until the permittee provides an updated Site Plan showing restoration areas, stream locations, and streamside management areas. Permittee must demonstrate that cultivation is outside of restoration and streamside management areas.
 - f. Prior to cultivating, the permittee shall provide and implement an erosion control plan to deconcentrate surface flow off roads and away from streams.
 - g. Prior to using the point of diversion, install water meters.
 - h. Prior to using the point of diversion, install screens on all intakes.

B. General Conditions

1. The cultivation area is limited to the amounts and type as described in the staff report and site plan. Cultivation area is limited to the proportion of irrigation water available from approved sources. If available irrigation water is less than the annual water budget, then the amount of cultivation will be reduced accordingly. Domestic water or other water sources shall not be used.
2. The point of diversion is subject to forbearance from April 1 to October 31.
3. No new grading is authorized.
4. Portable toilets may be used to support cultivation operations (but not processing in the form of trimming or packaging). Records of the provision of portable toilets must be kept and made available upon request during annual inspections.

5. The onsite septic system shall not be used to support cannabis operations until it has been reviewed and approved by the Division of Environmental Health.
6. Generators will be used for emergencies only. Generators shall not be used to supplement power generation of the renewable energy system.
7. No timber conversion is authorized. If a Registered Professional Forester determines tree removal is needed to protect the structures, then one of the following must occur:
 - a. Relocate the structure to avoid tree removal; OR
 - b. Remove the structure and convert to a compatible use (e.g. remove greenhouse and convert to full sun cultivation); OR
 - c. Provide additional biological assessment conducted by a qualified professional demonstrating to the satisfaction of the Planning and Building Department and CDFW that the tree removal will not have a significant impact on habitat or species or sensitive communities nor will result in timber conversion.
8. A Notice of Determination (NOD) will be prepared and filed with the County Clerk for this project in accordance with the State CEQA Guidelines. The Department will file the NOD and the applicant is responsible for this cost to the project.
9. 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.
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 to keep the permit valid.
11. The applicant is required to pay for permit processing on a time and material basis as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors. The Planning and Building Department will provide a bill to the applicant after the decision. All outstanding planning fees to cover the processing of the application to decision by the Hearing Officer shall be paid to the Humboldt County Planning Division, 3015 "H"

Street, Eureka.

12. If monofilament netting is used, best management practices must be implemented to ensure no wildlife entrapment or release into the environment. See also Condition of Approval C5.
13. The burning of plant material associated with the cultivation and processing of commercial cannabis is prohibited.

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

1. If cultural resources are encountered during construction activities, the contractor on site shall cease all work in the immediate area and within a 50-foot buffer of the discovery location. A qualified archaeologist and the appropriate Tribal Historic Preservation Officer(s) are to be contacted to evaluate the discovery and, in consultation with the applicant and the lead agency, develop a treatment plan in any instance where significant impacts cannot be avoided. Prehistoric materials may include obsidian or chert flakes, tools, locally darkened midden soils, ground-stone artifacts, shellfish or faunal remains, and human burials. If human remains are found, California Health and Safety Code 7050.5 requires that the County Coroner be contacted immediately at 707-445-7242. If the Coroner determines the remains to be Native American, the Native American Heritage Commission will then be contacted by the Coroner to determine appropriate treatment of the remains pursuant to Public Resources Code (PRC) Section 5097.98. Violators shall be prosecuted in accordance with PRC Section 5097.99.
2. The combination of background, generator and greenhouse fan or other operational equipment created noise must not result in the harassment of Northern Spotted Owl species as required to meet the performance standards for noise set by Department Policy Statement No. 16-005. The combined noise levels measured at 100 feet or the edge of habitat, whichever is closer, shall be at or below 50 decibels. Conformance will be evaluated using current auditory disturbance guidance prepared by the United State Fish and Wildlife Service, and further consultation where necessary. A building permit shall be obtained should any structures be necessary for noise attenuation.
3. All artificial lighting shall be fully contained within structures such that no light escapes (e.g., through blackout curtains). Structures shall be shielded between 30

minutes prior to sunset and 30 minutes after sunrise to prevent disruption to crepuscular wildlife. Security lighting shall be motion activated and comply with the International Dark-Sky Association standards and Fixture Seal of Approval Program. Standards include but are not limited to the following, 1) light shall be shielded and downward facing, 2) shall consist of low-pressure sodium light or low spectrum light emitting diodes with a color temperature of 3000 kelvins or less and 3) only placed where needed.

4. Should the Humboldt County Planning Division receive complaints that lighting or noise is not complying with the standards listed above in this permit, within ten (10) working days of receiving written notification that a complaint has been filed, the applicant shall submit written verification that the light shielding and alignment, and noise levels have been repaired, inspected, and corrected as necessary.
5. The use of monofilament netting for erosion control shall be prohibited. Geotextiles, fiber rolls, and other erosion control measure materials shall be made of loose-weave mesh, such as jute, hemp, coconut (coir) fiber, or other products without welded weaves to minimize the risk of ensnaring and strangling wildlife.
6. All refuse shall be contained in wildlife proof containers, always, and relocated to an authorized waste management facility, in compliance with State and local laws, on a regular and on-going basis.
7. Should any wildlife be encountered during work activities, the wildlife shall not be disturbed and be allowed to leave the work site unharmed.
8. The use of anticoagulant rodenticide is prohibited.
9. The operator shall provide information to all employees about the potential health impacts of cannabis use on children. Information shall be provided by posting the brochures from the Department of Health and Human Services titled "Cannabis Palm Card" and "Cannabis Rack Card." This information shall also be provided to all employees as part of the employee orientation.
10. All components of the project shall be developed, operated, and maintained in conformance with the Project Description, the approved Site Plan, the Plan of Operations, the CMMLUO, and these conditions of approval.

11. If operating pursuant to a written approved compliance agreement, permittee shall abate or cure violations at the earliest feasible date, but in no event no more than two (2) years from the date of issuance of a provisional clearance or permit. Permittee shall provide plans for curing such violations to the Planning and Building Department within one (1) year of issuance of the provisional clearance or permit. If good faith effort toward compliance can be shown within the two years following the issuance of the provisional clearance or permit, the Department may, at the discretion of the Director, provide for extensions of the provisional permit to allow additional time to meet the outstanding requirements.
12. Compliance with all statutes, regulations, and requirements of the California State Water Resources Control Board and the Division of Water Rights, at a minimum to include a statement of diversion of surface water from a stream, river, underground stream, or other watercourse required by Water Code Section 5101, or other applicable permit, license, or registration, as applicable.
13. Confinement of the area of cannabis cultivation, processing, manufacture, or distribution to the locations depicted on the approved site plan. The commercial cannabis activity shall be set back at least 30 feet from any property line, and 600 feet from any school, school bus stop, church or other place of religious worship, or tribal cultural resources, except where a reduction to this setback has been approved pursuant to Section 55.4.11(d).
14. Applicant must adhere to and implement the Site Management Plan. A copy of the reporting form portion of the Mitigation and Reporting Program (MRP) shall be submitted to the Planning and Building Department upon request.
15. Applicant must demonstrate and maintain enrollment in Tier 1 or 2 in accordance with State Water Resources Control Board Order No. WQ 2019-0001-DWQ, or any substantially equivalent rule that may be subsequently adopted by the County of Humboldt or other responsible agency.
16. Comply with the terms of any applicable Lake and Stream Alteration (1600 or 1602) Agreement 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 logbooks maintained by the applicant to track production and sales shall be maintained for inspection by the County.
23. Pay all applicable taxes as required by the Humboldt County Commercial Marijuana Cultivation Tax Ordinance (Humboldt County Code Section 719-1 et seq.).

Performance Standards for Cultivation and Processing Operations

24. Pursuant to Business and Professions Code section 26051.5(a)(8), an applicant seeking a cultivation license shall "provide a statement declaring the applicant is an 'agricultural employer,' as defined in the Alatorre-Zenovich-Dunlap-Berman Agricultural Labor Relations Act of 1975 (Part 3.5 commencing with Section 1140) of Division 2 of the Labor Code), to the extent not prohibited by law."
25. Cultivators shall comply with all applicable federal, state, and local laws and regulations governing California Agricultural Employers, which may include federal and state wage and hour laws, Cal/OSHA, OSHA, the California Agricultural Labor Relations Act, and the Humboldt County Code (including the Building Code).
26. Cultivators engaged in processing shall comply with the following Processing Practices:
 - a. Processing operations must be maintained in a clean and sanitary condition including all work surfaces and equipment.

- b. Processing operations must implement protocols which prevent processing contamination and mold and mildew growth on cannabis.
 - c. Employees handling cannabis in processing operations must have access to facemasks and gloves in good operable condition as applicable to their job function.
 - d. Employees must wash hands sufficiently when handling cannabis or use gloves.
27. All persons hiring employees to engage in commercial cannabis cultivation and processing shall comply with the following Employee Safety Practices:
- a. Cultivation operations and processing operations must implement safety protocols and provide all employees with adequate safety training relevant to their specific job functions, which may include:
 - (1) Emergency action response planning as necessary;
 - (2) Employee accident reporting and investigation policies;
 - (3) Fire prevention;
 - (4) Hazard communication policies, including maintenance of material safety data sheets (MSDS);
 - (5) Materials handling policies;
 - (6) Job hazard analyses; and
 - (7) Personal protective equipment policies, including respiratory protection.
 - b. Cultivation operations and processing operations must visibly post and maintain an emergency contact list which includes at a minimum:
 - (1) Operation manager contacts;
 - (2) Emergency responder contacts; and
 - (3) Poison control contacts.
 - c. At all times, employees shall have access to safe drinking water and toilets and handwashing facilities that comply with applicable federal, state, and local laws and regulations. Plumbing facilities and water source must be capable of handling increased usage without adverse consequences to neighboring properties or the environment.
 - d. On site-housing provided to employees shall comply with all applicable federal, state, and local laws and regulations.
28. All cultivators shall comply with the approved processing plan as to the following:

- a. Processing practices
 - b. Location where processing will occur
 - c. Number of employees, if any
 - d. Employee Safety Practices
 - e. Toilet and handwashing facilities
 - f. Plumbing and/or septic system and whether or not the system is capable of handling increased usage
 - g. Drinking water for employees
 - h. Plan to minimize impact from increased road use resulting from processing
 - i. On-site housing, if any
29. Term of Commercial Cannabis Activity Permit. Any Commercial Cannabis Cultivation permit issued pursuant to the CMMLUO or CCLUO shall expire one (1) year after date of issuance, and on the anniversary date of such issuance each year thereafter, unless an annual compliance inspection has been conducted and the permittees and the permitted site have been found to comply with all conditions of approval.
30. Inspections. If the inspector or other County official determines that the permittees or site do not comply with the conditions of approval, the inspector shall serve the permit holder with a written statement identifying the items not in compliance, and the action that the permit holder may take to cure the noncompliance or file an appeal within ten (10) days of the date that the written statement is delivered to the permit holder. Personal delivery or mailing the written statement to the mailing address listed on the application by regular mail, plus three (3) days after date of mailing, shall constitute delivery. The permit holder may request a reinspection to determine whether 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 Permit, immediately upon the expiration of any appeal period, or final determination of the appeal if an appeal has been timely filed.

The permit holder and subject property owner are to allow the County or representative(s) or designee(s) to make inspections at any reasonable time deemed necessary to assure that the activities being performed under the authority of this permit are in accordance with the terms and conditions prescribed herein.

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

Informational Notes:

1. None.

Cultivation and Operations Plan

APN: 218-101-002 PLN:13351 Applicant: Mark Finley

Revised: 12/26/24



PROJECT DESCRIPTION

An application for a Conditional Use Permit to allow a total of 43,560 sq. ft of existing Cannabis cultivation. Including 10,000 square feet of existing mixed light cultivation and 33,560 of existing outdoor Cultivation. Irrigation water is sourced from one rainwater catchment pond and one SIUR water right. Power is provided by solar with a backup generator.

Water:

Please see water availability analysis for full water information on this application and information on all applications associated with these water sources. Water analysis shows more than enough water to serve all the associated farms even during extreme drought years.

Source:

The irrigation water is sourced from one rainwater catchment pond and one SIUR water right. SIUR water right REGISTRATION H508126 CERTIFICATE H100583. This water right with a maximum allowable storage of 1.59 acre feet of water or 518,103 gallons. This SIUR provides water to two farms PLN: 13351& 13295. The rainwater catch pond is located on the adjacent parcel APN: 218-091-004 with over 2 million gallon capacity. Water on this property will be supplemented when needed with rainwater catch available from the pond. Please see water availability analysis for further information.

Storage:

This farm/parcel currently has a total hard tank storage capacity of 175,000 gallons. Hard tanks currently established onsite include two 50,000 gallon tanks, Ten 5000 gallon tanks, and five 2,500 gallon tanks. See site map for storage locations. Applicant hopes to establish forty eight more 5000 gallon storage tanks in the future when monetarily feasible. After installation of all planned storage the property wide hard tank storage capacity will be 415,000 gallons. Until the additional storage can be established onsite the applicant will utilize rainwater catch water from the pond located on 218-091-004 as needed to allow full farm operation.

Total storage in the rainwater catchment pond, located on the adjacent parcel, is approximately 2,155,507 gallon. See water availability analysis for further information on these water sources and all allocations made from them.

Irrigation Plan:

All irrigation of cannabis is completed by a timed, drip irrigation system preventing any over watering or runoff. The Applicant utilizes time of day watering, and moisture retentive soils for water conservation. Water is applied at no more than agronomic rates. No runoff is produced by irrigation practices.

Projected Water Usage:

An estimated 545,000 gallons of water will be needed per growing season. Water usage will be recorded monthly and reported annually pursuant to the Water Board, CDFW, DWR, and/or any other relevant agency requirements.

3 SITE CHARACTERISTICS

Drainage:

At all times water is used appropriately and applied at no more than agronomic rates. Site has well-draining soils and natural vegetation is maintained around all cultivation areas.

Runoff and Erosion Control Measures:

Project site cultivation areas are on slopes less than 15%, and outside of all surface water buffers as shown on site map. The road network consists of a driveway and multiple access roads. There are frequent road drainage features that eliminate sediment delivery to surface waters. There are permanent rolling dips to ensure road surface erosion is adequately controlled.

Much of the project site is covered with forests and buffers of native vegetation are maintained around all cultivation areas.

All access roads onsite are well-maintained with adequate drainage to address runoff and erosion. Site is in compliance with all Water Board standards and is monitored and maintained regularly following all Best Management Practices.

Site is well vegetated with stable, undisturbed soils. Any exposed or disturbed areas of soil that are found during routine inspection shall be reseeded and mulched with straw and shall be monitored and maintained to promote revegetation. Erosion control measures (hay waddles, straw bales, etc.) are implemented on an as-needed basis prior to each rainy season to help minimize sediment discharge, in accordance with Water Board standards.

WATERSHED & HABITAT PROTECTION

Applicant is enrolled in the Water Board's Cannabis program continuously since 2016 and maintains compliance with all program requirements and fees.

All trash, recycling, amendments, fertilizers, and other cultivation related materials are stored such that they are secured from wildlife and cannot be released into the natural environment.

Buffers of natural vegetation and habitat are maintained around all areas of human activity, The majority of parcel is undeveloped and conserved in a wild state.

Cultivation areas will be maintained to prevent nutrients from leaving the site at all times: during the growing season and post-harvest.

HAZARDOUS MATERIALS STORAGE & WASTE MANAGEMENT

All cultivation related items and wastes are stored in locations and in a manner in which they cannot enter or be transported into surface waters and such that nutrients or other pollutants cannot be leached into groundwater, and cannot enter the environment. Area has posted instructions for proper storage of all materials kept here in addition to Spill Prevention, Control, and Countermeasure (SPCC) Plan and kit onsite with all necessary items for cleaning up spills.

Amendments and Nutrients:

Amendments typically will be brought to site and used immediately. Only nominal amendment storage onsite in enclosed shed. Shed onsite for storage of fertilizers, pesticides, and other regulated products is in accordance with best practices, including storage within an enclosed space to prevent surface water contamination. Fertilizers, nutrients, etc are stored inside in secondary containment. All products applied per package directions or more conservatively.

Pesticides and Herbicides:

Only OMRI listed and/or Pest Management approved products will be utilized for pest and disease control. All products are stored in Shed. Secondary containment is provided for all liquid products. All products are applied using package directions.

Fuel:

Fuels is only used on an occasional basis. For running the backup generator, tools, and/or other equipment (e.g. weed whip, lawnmower, etc.) All fuels are stored in shed with secondary containment and in compliance with agency requirements and regulations.

Soil:

The bulk of non-native soils onsite have already been present in the garden areas for multiple seasons and are amended annually. Only nominal amounts of supplemental non-native soils are brought to site each year, if at all. Any new soils brought to site are typically used immediately. Only nominal amounts of soil stored onsite are stored in an enclosure or in accordance with Caltrans Construction Manual Stockpile Management WM-3 guidelines. At the conclusion of each season's activities, the site is winterized. All smart pots and garden beds are mulched with straw to prevent soil transport during the off-season. It is highly unusual to have waste soil onsite. All soils are amended and reused. In the event of there being waste soil or spent growing medium, it will be transported off site and disposed of at a licensed waste facility. Any waste soil/media shall be stored in accordance with Caltrans WM-3 until it can be transported off-site.

Solid waste/ Recycling:

Refuse and garbage is stored in a location and manner that prevents its discharge to receiving water and prevents any leachate or contact water from entering or percolating to receiving waters. Trash and recycling are stored in trash cans with lids and secured to prevent wildlife disturbance. Trash and recycling removed from site at least once weekly or more frequently. Redway transfer station will be used as the primary disposal location.

GREENHOUSE COMPLIANCE

The greenhouses have pervious floors (bare soil) and are in compliance with Humboldt County Code Section 314-43.1.3.2. They do not contain perimeter foundation, do not have improved floors.

All mixed-light greenhouses and operations comply with International Dark Sky Association Standards. All greenhouses are covered with blackout tarps to prevent nocturnal light emission. No artificial light will escape at a level that is visible from neighboring properties.

SCHEDULE OF ACTIVITIES

Month	
January	No activity. Infrequent visits for site maintenance.
February	No activity. Infrequent visits for site maintenance.
March	Preparation. Bring materials to site.
April	Bring starts. Plant.
May	Nursery and transplanting.
June	Farm operation and maintenance

July	Farm operation and maintenance. Harvest
August	Farm operation and maintenance. Replant
September	Farm operation and maintenance. Prep for Harvest
October	Harvest
November	Dry. Processing (offsite). Clean up.
December	No activity. Infrequent visits for site maintenance.

OPERATIONS AND PROCESSING PROTOCOLS

Processing Practices:

Plants are harvested and dried in the Drying shed with use of fans and propane heat. Finished product is then moved to the secured Harvest Storage location.

Dependent upon market conditions, the operator may opt to conduct processing operations offsite, processing onsite, or may opt to not process at all (crop direct to extraction without processing). All operations will comply with all pertinent regulations. Processing may occur onsite and applicant reserves the right to opt to process offsite or conduct no processing (harvest straight to extraction) in future. Direct to Extraction (no processing) - crop or portion of crop sold direct to extraction with no processing required. Offsite Processing-crop or a portion of crop sent to licensed processing facility in compliance with all required regulations and documentation. Onsite Processing- crop or portion of crop processed onsite in the building noted on Site Map as "Drying Barn" utilizing trim machine. Any onsite processing will comply with all required safety and sanitation practices will be followed including frequent hand washing, and the wearing of gloves and masks. Any processing activities conducted onsite will follow all applicable regulations and requirements as stated by all agencies with jurisdiction

Staffing:

No employees at this time. Operations conducted by LLC members. A maximum of 8 employees are anticipated to be needed for full operation of this farm.

Days and Hours of Operation:

The facility is not open to the public and will not accept visitors without a specific business purpose.

Hours of operation will typically be from 10 AM to 3PM. Due to the remote location of the facility and the limited commercial activity window, there are anticipated to be no significant noise or traffic impacts upon the occupants of neighboring properties.

Safety Practices:

Cultivation and processing operations implement best practices to the highest degree feasible. There no employees at this time, if the operation chooses to include employees in the future it will comply with any other relevant County and State regulations where applicable.

Safe Drinking Water. Toilets. and Sanitary Facilities:

At all times, there will be access to safe drinking water and toilets and hand washing facilities that comply with applicable federal, state, and local laws and regulations.

Applicant has contract with B+B portable toilet to provide and maintain toilet and hand-washing facilities in accordance with the requirements of all relevant regulations. There are also two existing septic systems onsite that serve buildings Not Used for Cultivation.

Road & Parking:

Project activities do not present a significant increase in road use. There is ample on-site parking. No on-site housing.

SECURITY PLAN

The security measures located on the premises will include the following:

- a) Lighting - Motion sensor lighting is installed around the facilities.
- b) Alarm -Guard dogs are also present on the property during operations.
- c) Access Control - All entrances to the facility are restricted by locked gates. The remote location of property provides an additional component of security.
- d) Fencing - The cultivation areas are fenced for wildlife providing intrusion protection.
- e) All cultivation related items and products will be stored in locked and secured locations.
- f) All Marijuana other than lab samples will be transported to State licensed and/or locally permitted licensed cannabis wholesale, distribution, or manufacturing companies by a State licensed and/or locally permitted licensed transport company.

