



**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: September 2, 2021

To: Humboldt County Planning Commission

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

Subject: **Mark Felix Conditional Use Permit and Special Permits**  
Application Number PLN-132404-CUP  
Assessor's Parcel Number (APN) 081-021-038  
Myers Flat area

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Please contact Cliff Johnson, Supervising Planner, at 707-268-3721 or by email at [cjohnson@co.humboldt.ca.us](mailto:cjohnson@co.humboldt.ca.us) if you have any questions about the scheduled public hearing item.

## AGENDA ITEM TRANSMITTAL

<b>Hearing Date</b> September 2, 2021	<b>Subject</b> Conditional Use Permit and Special Permit	<b>Contact</b> Cliff Johnson
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**Project Description** A Conditional Use Permit for 36,990 sf of new outdoor commercial cannabis cultivation, a Special Permit for a commercial processing, manufacturing and distribution facility, and a retail nursery as well as a Special Permit for a reduction in the setback from public lands.

**Project Location:** The project is located in the Myers Flat area, on Boy Scout Camp Road, approximately 370 feet south of the intersection of Boy Scout Camp Road and State Highway 254.

**Present Plan Land Use Designations:** Industrial General (Avenue of the Giants Community Plan)

**Present Zoning:** MH-F-Q. Heavy Industrial with a Flood Hazard Combining Zone and a Qualified Combining Zone.

**Application Number:** PLN-13204-CUP

**Assessor Parcel Numbers:** 081-021-038

**Applicant**

Mark Felix  
PO Box 45  
Myers Flat CA 95554

**Owner**

Thomas Meager UCTR  
PO Box 209  
Myers Flat, CA 95554

**Environmental Review:** The proposed project is statutorily exempt from the provisions of the California Environmental Quality Act (CEQA) per section 15270 (Projects Which Are Disapproved) of the CEQA Guidelines.

**State Appeal Status:** The proposed project is NOT appealable to the California Coastal Commission

**Major Issues:** Inconsistency with Humboldt County Code, lack of adequate information to support making required findings for approval, and uncooperative applicants.

**MARK FELIX**  
PLN-13204-CUP  
APN 081-021-038

**Recommended Commission Action**

1. Describe the application as a public hearing;
2. Request that staff present the project;
3. Open the public hearing and receive testimony; and
4. Close the hearing and take the following action:

*Find the project statutorily exempt from environmental review pursuant to Section 15270 of the State CEQA Guidelines, find that the project is inconsistent with the Humboldt County Code and adopt the resolution denying the Mark Felix Conditional Use Permit and Special Permits as recommended by staff.*

**Executive Summary:** For Planning Commission consideration is an application under the Commercial Medical Marijuana Land Use Ordinance (CMMLUO) for a Conditional Use Permit for 36,990 sf of new outdoor commercial cannabis cultivation, a Special Permit for a commercial processing, manufacturing and distribution facility, and a retail nursery as well as a Special Permit for a reduction in the setback from public lands. The property borders Humboldt Redwoods State Park and the South Fork of the Eel River, including a river bar area that looks to have potential use by the public for recreational purposes.

Staff is recommending denial of the project because the applicant has violated County ordinance requirements after the application was submitted and has been unresponsive to County requests for information and has violated county ordinance. The submitted application does not include evidence to support making the required findings under Section 312-17.1 of the Humboldt County Code (required findings for all permits). This project is not consistent with section 314-55.4.8.1, which states that all commercial cannabis cultivation, processing, manufacture, or distribution of cannabis for medical use shall operate in compliance with this Section, as well as all applicable state and local laws. By initiating new cultivation without approval, the applicant has violated the Humboldt County Code, as well as violated various provisions of state law as described below.

The application was submitted on December 30, 2016 and included only an application form, a copy of an Assessor's Map showing the parcel, the application fee deposit, and the indemnification form and cannabis acknowledgement. An incomplete letter was sent to the applicant on February 9, 2017 and the County received no response, which led to a Notice of Intent to Withdraw the application being sent to the applicant on August 16, 2017. In response to that notice the applicant did submit a site plan and an operations plan, which were received on September 14, 2017. The County sent the applicant an additional deficiency letter on May 7, 2018, and has received no response since. This property has never held an Interim Permit or a state license that would enable the property to legally operate as a cannabis business.

On May 19, 2021 the Humboldt County Code Enforcement Unit assisted the Humboldt County Sheriff's Office on a search warrant for the property, where approximately 24,000 square feet of cannabis was found being cultivated illegally. Additional violations of Humboldt County Code were observed, including violations of the dark sky requirements, improper storage of solid waste and recreational vehicles being utilized as residences. On July 1, 2021 the Planning Department sent a letter to the applicant and property owner informing them that the application was likely to be move forward with a recommendation of denial. No response or communication from the applicant or property owner was received in response.

**Summary:** The submitted application does not include enough evidence to support making the required findings under Section 312-17.1. Because new cultivation was initiated without a permit,

the project is not consistent with section 314-55.4.8.1, which states that all commercial cannabis cultivation, processing, manufacture, or distribution of cannabis for medical use shall operate in compliance with this Section, as well as all applicable state and local laws. Finally, the department has attempted to contact the applicant and the applicant has failed to respond.

**ALTERNATIVES:** The Planning Commission could elect to direct staff to continue to attempt to reach the applicant to resolve the outstanding issues and continue processing the application in accordance with HCC Section 312-4.1 et seq. However, given that staff has made multiple attempts to contact the applicant and he has been unresponsive, staff does not recommend this alternative.

**RESOLUTION OF THE PLANNING COMMISSION  
OF THE COUNTY OF HUMBOLDT  
Resolution Number: 21 -  
Records Number: PLN-13204-CUP  
Assessor's Parcel Number: 081-021-038**

**Resolution by the Planning Commission of the County of Humboldt certifying compliance with the California Environmental Quality Act and denying the Mark Felix Conditional Use Permit and Special Permits.**

**WHEREAS, Mark Felix,** submitted an application on December 30, 2016 for a Conditional Use Permit for commercial cannabis cultivation, and a Special Permit for a manufacturing, processing and distribution facility and a retail nursery, including a Special Permit for the reduction of the 600 foot setback to public lands; and

**WHEREAS,** the applicant was generally unresponsive to requests for information necessary to review and analyze the proposed application; and

**WHEREAS,** the property was operated in violation of the county ordinance and state law; and

**WHEREAS,** the project is statutorily exempt from environmental review pursuant to Section 15270 of the State CEQA Guidelines (projects which are disapproved); and

**WHEREAS,** the Humboldt County Planning Commission held a duly-noticed public hearing on September 2, 2021, and reviewed, considered, and discussed the application for a Conditional Use Permit 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 commercial cannabis cultivation, and a Special Permit for a manufacturing, processing and distribution facility and a retail nursery, including a Special Permit for the reduction of the 600 foot setback to public lands;

**EVIDENCE:**                a) Project File: PLN-13204-CUP

- 2. FINDING:**                    **CEQA.** The requirements of the California Environmental Quality Act have been complied with. The project is statutorily exempt from CEQA as it is a project which is not approved.

**EVIDENCE:**                a) Section 15270 of the CEQA Guidelines

**FINDINGS FOR CONDITIONAL USE PERMIT AND SPECIAL PERMIT**

- 3. FINDING**                    The proposed development is not consistent with the requirements of the CMMLUO Provisions of the Zoning Ordinance.

**EVIDENCE**                a) Information necessary to determine consistency with the ordinance has not been submitted. Requests for information were sent to the applicant on February 9, 2017 and the County received no response, which led to a Notice of Intent to Withdraw the application being sent to the applicant on August 16, 2017. In response to that notice the applicant did submit a site plan and an operations plan, which were received on September 14, 2017. The County sent the applicant an additional deficiency letter on May 7, 2018, and has received no response since. A letter was sent to the applicant on July 1, 2021 stating

that they have been unresponsive and the project would move forward as is. No response was received.

- b) The property has been operated in violation of county ordinance. On May 19, 2021 the Humboldt County Code Enforcement Unit assisted the Humboldt County Sheriff's Office on a search warrant for the property, where approximately 24,000 square feet of cannabis was found being cultivated illegally. Additional violations of Humboldt County Code were observed, including improper storage of solid waste and recreational vehicles being utilized as residences.
- c) The project is located within 600 feet of publicly owned lands which are utilized for recreational purposes and no information has been presented demonstrating that this land is not utilized for recreational purposes or that operation of the site would not impact the publicly owned lands. To the contrary, the Code Enforcement report documents that the site was operated in violation of the dark sky requirements of the County Ordinance which would impact the ability to properly manage the public lands for wildlife purposes.

### 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
- Denies the Conditional Use Permit and Special Permits for Mark Felix, based upon the Findings and Evidence.

Adopted after review and consideration of all the evidence on September 2, 2021.

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

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

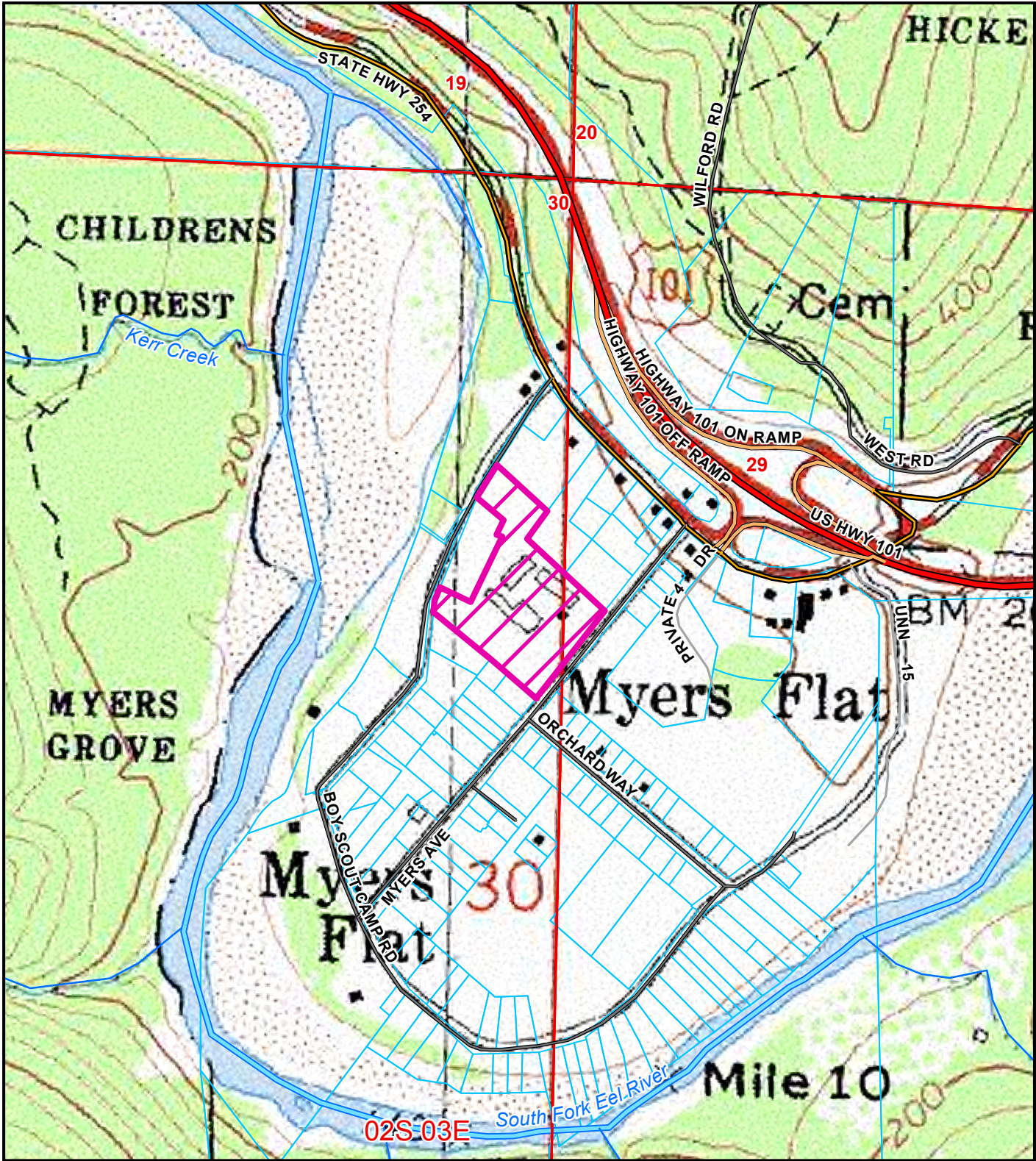
ABSENT: COMMISSIONERS:

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 Ford, Director  
Planning and Building Department

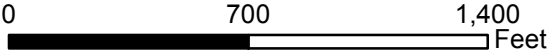


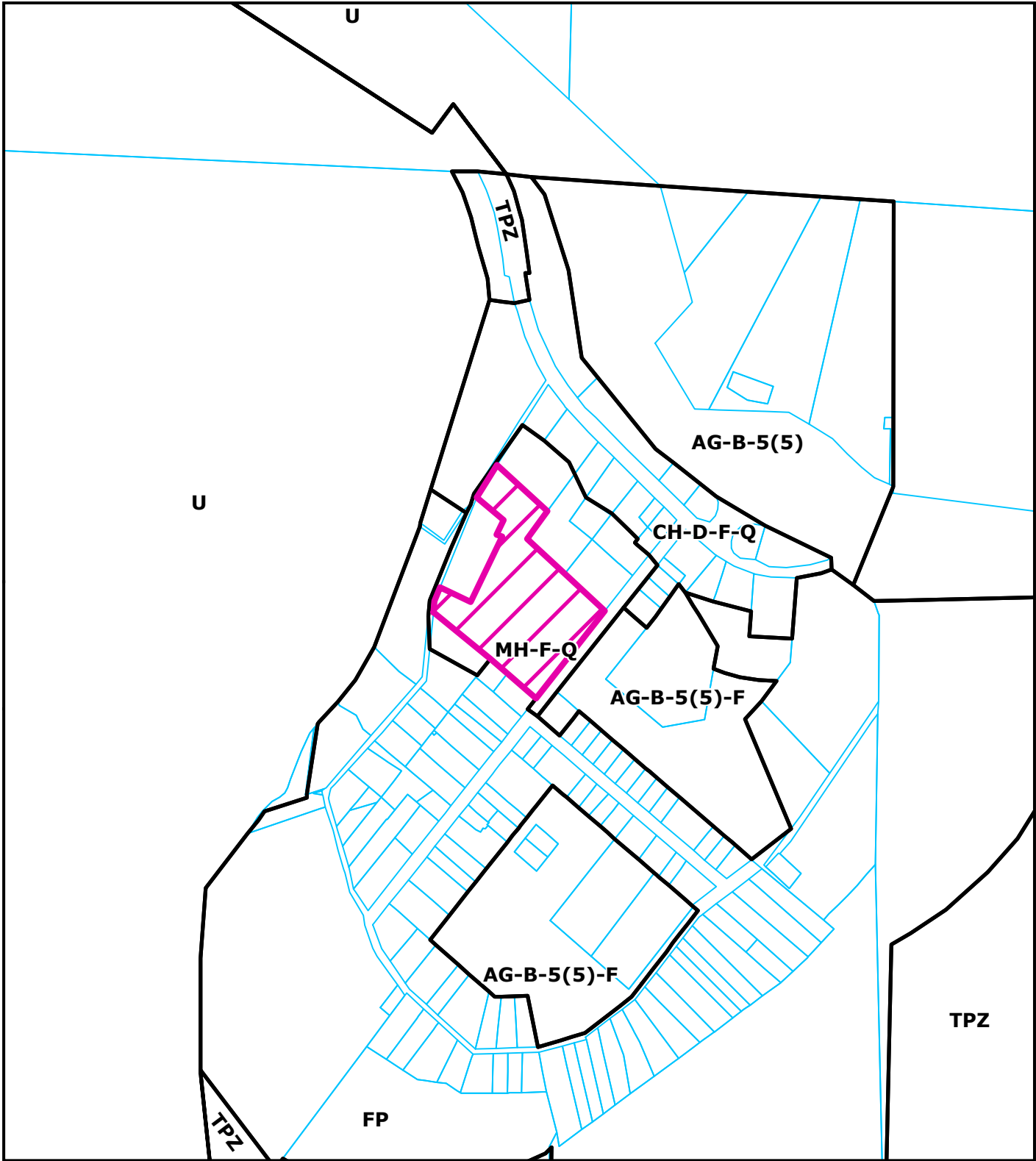
**TOPO MAP  
PROPOSED MARK FELIX  
MYERS FLAT AREA**

Project Area =  **CUP-16-1044; SP-16-818; SP-16-819; SP-16-820; SP-16-821  
APN: 081-021-038-000  
T02S R03E S30; S29 HB&M (MYERS FLAT)**




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.





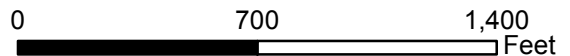
**ZONING MAP  
PROPOSED MARK FELIX  
MYERS FLAT AREA**

**Project Area =**  **CUP-16-1044; SP-16-818; SP-16-819; SP-16-820; SP-16-821**  
**APN: 081-021-038-000**

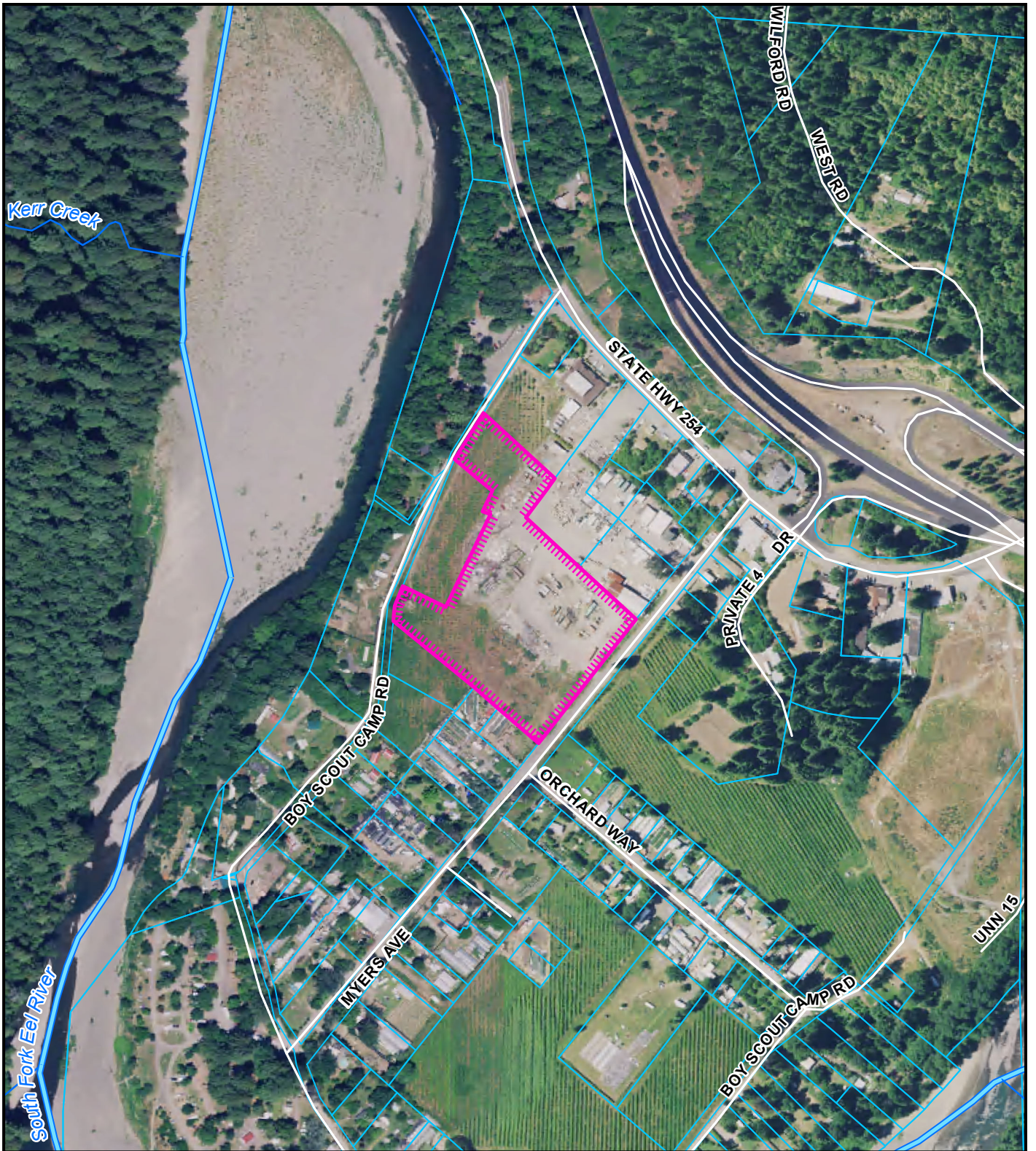
**T02S R03E S30; S29 HB&M (MYERS FLAT)**




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**AERIAL MAP  
PROPOSED MARK FELIX  
MYERS FLAT AREA**

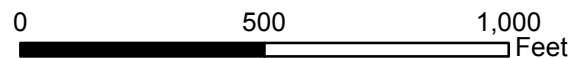
Project Area =  **CUP-16-1044; SP-16-818; SP-16-819; SP-16-820; SP-16-821**

**APN: 081-021-038-000**

**T02S R03E S30; S29 HB&M (MYERS FLAT)**



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**ATTACHMENT 1**  
**Correspondence**



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

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

July 1, 2021

Mark Felix  
PO Box 45  
Myers Flat, CA 95554

RE: Permit Application No. 13204                      APN: 081-021-038                      Case No.: CUP16-1044 et al.

Dear Mark Felix,

On May 19, 2021 our office accompanied the Humboldt County Sheriff to the site where multiple violations of Humboldt County Code were found, including commercial cultivation of cannabis without appropriate state and county authorization. These violations of the Humboldt County Code and state law follow substantial correspondence from Humboldt County to you regarding the application for commercial cannabis on the site and a history of non-responsiveness.

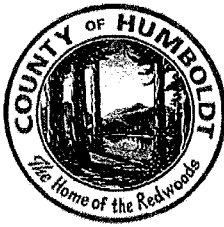
On May 7, 2018 we sent you a letter indicating that this application was deficient and did not include information necessary to move forward in the process. Prior correspondence regarding the project has included an incomplete letter dated 2/9/2017, a hand written completeness checklist dated 8/9/2017, and a withdrawal notice on 8/16/2017. You have generally been non-responsive to these requests for additional information and the application continues to remain deficient.

Accordingly, this application does not appear to have a path for approval and you may wish to withdraw the application. If the application is not withdrawn within 30 days of the date of this letter we will be moving this application forward in the process with the information currently available to us. Given the lack of information to support approval and the violations occurring on the site, our recommendation will be for denial. The staff work in preparing a report for hearing and sending out a public notice will be billed to you. If you have any questions, please contact me at (707) 268-3721.

Sincerely,

Cliff Johnson, Supervising Planner

C: Meager Thomas SUCTR, PO Box 209, Myers Flat, CA 95554



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

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

May 7, 2018

Mark Felix  
PO Box 45  
Myers Flat, CA 95554

RE: Permit Application No. 13204                      APN: 081-021-038                      Case No.: CUP16-1044 et al.

Dear Mark Felix,

Thank you for your submittal of the above referenced application for a commercial cannabis permit on December 30, 2016 for new outdoor cultivation, processing facility, manufacturing facility, distribution facility, and retail nursery. Prior correspondence regarding the project has included an incomplete letter dated 2/9/2017, a hand written completeness checklist dated 8/9/2017, and a withdrawal notice on 8/16/2017. Additional application materials were received on 9/14/2017. Unfortunately, after review the application submittal was found not to contain all of the required information and we are unable to move the permit forward at this time.

Below is listed the information we need to continue processing this permit application:

1. A revised operations plan that includes:
  - o Clarification on the processing of cannabis that is grown on-site. Please indicate which activities (drying, trimming, curing, packaging) would occur on-site and which would occur at a licensed off-site processing facility;
  - o For the commercial processing facility portion, Information on the specific types of processing activities that would be completed;
  - o For the commercial manufacturing facility portion, information on the specific products intended to be manufactured;
  - o Information on all chemicals or solvents used in manufacturing and/or processing activities;
  - o Number of employees/operators/family members/people required year-round, and at peak operations
  - o Soil management plan
  - o Specific security measures – currently the operations plan is unclear on which security improvements are actually proposed
2. A revised site plan that includes:
  - o Parking considerations - Location and number of spaces, as well as loading zones. The Humboldt Zoning Regulations have specific off-street parking requirements in section 313-109.1.
3. A copy of County of Humboldt well permit and/or application form
4. Proposed interior floor plan for both the Nursery and Processing/Manufacturing buildings that show dimensions and proposed improvements
5. A Road Evaluation form (enclosed)

Be advised, if your source of water for cultivation and associated activities is a well, forbearance will be required pursuant to Humboldt County Code Section 314-55.4.11 (l) unless it can be demonstrated that the well is not hydrologically connected to surface water. As a condition of project approval you will be required to provide confirmation from CDFW that the well is not hydrologically connected to surface water, or ensure water storage capacity to comply with a mandatory forbearance period.

Pursuant to Humboldt County Code Section 312-11.2, "Development permits shall be issued only for a lot that was created in compliance with all applicable state and local subdivision regulations." While our office is in the process of completing this review for your parcel, it may be necessary for you to submit additional information in order to determine how the property was created in its current configuration. If additional information is needed our office will contact you.


Please keep in mind, additional information may be requested once the project is reviewed by State and local agencies during the referral stage of the process. The Department cannot make the required findings specified in Humboldt County Code Sections 312-1.1.2 and 312-17 et seq., and the California Environmental Quality Act (CEQA) based on the information submitted to date. In order for the Department to further evaluate this project for compliance, the additional requested information must be submitted.

Unless it is withdrawn, the Department must act on your application. For this reason, if you do not submit the requested materials or a request for hearing within 180 days (6 months) of the date of this letter, we will begin scheduling your project for a hearing. This could result in the denial of your application and the inability to secure a State license under the Medical and Adult Use Cannabis Regulation and Safety Act (MAUCRSA).

Please accumulate all requested material and submit as a complete package and submit these items to the contact listed below during regular business hours. When submitting these items please include the Application Number and APN found at the top of this letter.

**Please remember that the filing of a permit application does not authorize the applicant to engage in any new commercial marijuana cultivation, processing, manufacture or distribution activity.** No such activity shall commence until the application has been processed to decision and all requisite clearances, permits and/or licenses have been secured. If you have questions about this letter, please contact Isaac Hansen at 707-445-7541.

Sincerely,



Isaac Hansen  
Cannabis Services Division  
vendoriaco@co.humboldt.ca.us



HUMBOLDT COUNTY  
PLANNING AND BUILDING DEPARTMENT  
3015 H STREET, EUREKA, CA 95501 ~ PHONE (707) 445-7245

**APPLICATION WITHDRAWAL NOTICE**

Mark Felix

PO Box 45

Myers Flat, CA 95554

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8/16/2017

This is a courtesy notification from the County of Humboldt Planning and Building Department for the following commercial cannabis permit application:

Application #: 13204

Application Submittal Date: 12/30/2016

Incomplete Letter Date: 2/10/2017

Application Withdrawal Effective Date: 9/16/2017

Assessor Parcel Number: 081-021-038-000

Your application for a commercial cannabis permit has remained incomplete for more than 6 months since the first incomplete letter was sent to you. Section 312-6.1.5 of the Humboldt County Code states an application which has not been made complete within 6 months of receipt of the application is deemed withdrawn.

If you do NOT submit **ALL** information required to complete your application within 30 calendar days from the date of this letter your project will be deemed withdrawn.

Due to our commitment to process complete applications received prior to June 30, 2017 and the very large number of applicants receiving this same letter, it is anticipated there will be long lines and limited staff availability at the Planning and Building Department counter. Submittals which do not result in a complete application will not be accepted. Staff will review the supplemental materials at the counter to ensure all required information is included to complete your application. If the information does not result in a complete application, the material will not be taken over the counter. Additional time extensions are not being granted as this 30 day period is the time extension.

Please make your application complete as early as possible so we can continue assisting you in achieving our common goal of permit approval and compliance. If you have any questions, please contact the Planning and Building Department between the hours of 8:30 AM and 5:00 PM at (707) 445-7245.

Sincerely,

Office of the Director  
Planning and Building Department  
County of Humboldt



HUMBOLDT COUNTY  
PLANNING AND BUILDING DEPARTMENT  
CANNABIS SERVICES DIVISION

3015 H STREET, EUREKA, CA 95501  
FAX: (707) 268-3792 PHONE (707) 445-7541

2/9/2017

**Mark Felix**  
**PO Box 45**

**Myers Flat, CA 95554**

RE: Permit Application No. 13204 APN 081-021-038-000

Dear Mark Felix,

Thank you for your Commercial Cannabis Permit Application. After an initial review, the submittal did not contain all of the required information and has been deemed incomplete. The items below must be provided before we can begin processing your application. For a complete version of the application checklist please visit: <http://humboldt.gov.org/DocumentCenter/View/53497>

✓ **Additional Payments**

Check(s) in the amount of \$30.00 payable to the Tribal Historic Preservation Office (THPO) for each of the following tribes: \$30 to Bear River Band THPO. The application deposit balance indicated on your Notice of Incomplete Payment is due.

✓ **Application Materials**

Indemnification and Hold Harmless Agreement; Commercial Medical Marijuana Land Use Ordinance Acknowledgement Form; Signed Affidavit - Commercial Cannabis Activity; Documentation of cultivation activities occurring prior to January 1, 2016 (not required for new cultivation).

✓ **Evidence of Ownership or Authorization**

Evidence of ownership is needed including, but not limited to: Copy of current deed for the property; Copy of lease or similar instrument authorizing application for permits; Copy of ownership instrument, showing all owner names (if more than one owner); Legal documentation describing the composition of the organization showing those empowered to direct the affairs and those holding an interest in the organization.

✓ **Site Plan of Entire Parcel Showing**

A site plan is needed including, but not limited to: Owner's name and assessor's parcel number; Easements; Natural waterways including streams, springs, ponds, culverts, and any other water features; Location and area of cultivation or commercial activity; Setbacks of cultivation area from property lines; Access roads; Graded flats; Buildings labeled as to type and date of construction including whether they will be used for any cultivation or processing activity; Water storage structures labeled as to type, capacity, and date of construction; Water diversions including culverts, ponds, dams, and other ground disturbance from water diversion; Dimensions showing 600 square feet around the cultivation site, including distances from nearby schools, school bus stops, places of worship, public parks, Tribal Cultural Resources, and off-site residences within 300 feet.

✓ **Cultivation and Operations** in

An operation plan is needed including, but not limited to: Description of water source, storage, irrigation plan, and projected water usage; Description of site drainage, including runoff and erosion control measures; Detail of measures taken to ensure protection of watershed and nearby habitat; Protocols for proper storage and use of fertilizers, pesticides, and other regulated products utilized; Description of cultivation activities (e.g. outdoor, indoor, mixed light); Processing Plan; If mixed light cultivation proposed, identify number of cultivation cycles; Schedule of activities during each month of the growing and harvesting season, including projected generator use; Security Plan.

✓ **Indoor Cultivation Facilities**

Information on indoor facilities is needed including, but not limited to: Identify source of electrical power; Include description of how it will meet energy requirements described in section 314-55.4.8.3 of the Zoning Code.

✓ **Retirement, Remediation, and Relocation (if applicable)**

If your project includes a Retirement, Remediation, and Relocation please consult the application checklist found at: <http://humboldt.gov/DocumentCenter/View/53497>

✓ **Other Permits, Licenses, and Documents (if applicable)**

If applicable, please include: A copy of the statement of water diversion, or other permit, license or registration filed with the State Water Resources Control Board, Division of Water Rights; Copy of Notice of Intent and Monitoring Self-Certification and other documents filed with the North Coast Regional Water Quality Board; Streambed Alteration Permit obtained from the Department of Fish and Wildlife; Copy of County of Humboldt well permit; If parcel is zoned FR, U or TPZ, or involves conversion of timberland, a copy of less-than-3-acre conversion exemption or timberland conversion permit, approved by CAL-FIRE. For existing operations occupying sites created through prior unauthorized conversion of timberland, evidence may be provided showing the landowner has completed a civil or criminal process and/or entered into a negotiated settlement with CAL-FIRE.

Please assemble all requested material and submit as a complete package. Once the items above are submitted and the application is determined to be complete, we will refer it to the appropriate agencies for comment. Additional issues or concerns may be identified through the referral and/or environmental review process. To help in this effort, the Division of Environmental Health has provided a checklist which has been enclosed.

**The filing of an application does not authorize the applicant to engage in any new commercial medical marijuana cultivation, processing, manufacture or distribution activity.** No such activity shall commence until the application has been processed to decision and all requisite clearances, permits and/or licenses have been secured.

If you submitted an update to your application that is not reflected in this letter, it may be because that additional information has not yet been added to your project file. Rest assured, if we received something, it will be added to your project file. Again please bring all the items indicated in this letter to make your application complete. If you have any questions regarding this letter please call the Planning and Building Department at (707)445-7245.

Sincerely,



Rodney Yandell, Planner  
Cannabis Services



**ATTACHMENT 2**  
**Code Enforcement Inspection Report**

**County of Humboldt Code Enforcement Unit  
Inspection Notes**

<b>Inspector: Branden Howton</b>	<b>Date: May 19, 2021</b>
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<b>PROPERTY DETAILS</b>	
<b>Type of Inspection:</b> Search Warrant	<b>Main Agency:</b> HCSO
<b>Property Name(s):</b> Thomas Meagher P.O. Box 209 Meyers Flat, CA 95554	<b>APN(s):</b> 081-021-038-000
<b>Situs Address/Area:</b> Meyers Ave Meyers Flat, CA 95554	<b>Zoning:</b> Vacant, Commercial
<b>Ownership History; Purchased:</b> April 09, 2018	<b>Grant Deed:</b> 2018-06477

<b>Planning &amp; Building Records</b>	
<b>Permits / Applications:</b> 13204-CUP; No IP	<b>Applicant:</b>
<b>Special Notes:</b>	<b>CEU Case:</b> CE21-1064

<b>INSPECTION DETAILS</b>	
<b>Meet up:</b> Dyerville Overlook	<b>Time:</b> 0700
<b>Other Agencies:</b> CDFW, CDFW Bio, CDFW Law, Humboldt County District Attorney's Office	

**SUMMARY: 081-021-038-000 Thomas Meagher**

In support of Law Enforcement Operations on May 19, 2021, at approximately 13:21, I accompanied the Humboldt County Sheriff's Office on a Search Warrant for parcel number 081-021-038-000, located at Meyers Ave in Meyers Flat, CA. Other agencies on scene were the California Department of Fish and Wildlife and a representative from the Humboldt County District Attorney's Office. Once the area was secured for entry, I entered the property and conducted a site inspection on behalf of Humboldt County Code Enforcement where I verified and documented the violations of Unpermitted Cannabis Cultivation, Improper Storage and / or Removal of Solid Waste, and Unpermitted Structures.

I immediately noted multiple greenhouse structures behind a 7' foot tall wooden fence located on the parcel. All fifteen (15) greenhouse structures measured well over 120 ft<sup>2</sup>, were constructed from PVC conduit, and used wood for bracing. All the greenhouse structures also contained multiple cannabis plants located in pots placed directly on the ground. Although, not every greenhouse had installed lighting, all of them did have electrical ran. Details of the greenhouse sizes, location, and growth stage of the cannabis plants within them, can be found in the "Locations of Interest" section below.

Only Six (6) cannabis plants per permitted residential structure, per parcel is allowed per California State Ordinances, and Humboldt County Code, without the proper County Permits and State Licenses. Also, any structure measuring 120 ft<sup>2</sup> or larger in size requires a permit per Humboldt County Code 331-11. Since no permits or licenses were located associated with this parcel, violations of the Humboldt County Cannabis Land Use Ordinance, and violations of unpermitted structures were noted.

Furthermore, none of the greenhouses that had lighting installed had shielding. This suggests either work being done after natural light is too dim, or to keep the cannabis plants from flowering. In either case, without shielding, a violation of the night skies ordinance is constituted.

Along the Northwestern fence line, I noted a small outdoor cultivation area measuring roughly 15 ft<sup>2</sup>. The plants in this area stood 3' – 5' feet in height and were located in pots placed on the ground.

Along the Southwestern parcel line, I also documented a 96 ft<sup>2</sup> wood structure (Building 1) beings used as a residential structure. Within Building 1, I located two (2) beds, stored food items, running electricity, and clothing. This structure does not qualify for use as a residential structure as bathroom and cooking facilities are non-existent. Even though Building 1 is under the 120 ft<sup>2</sup> threshold for requiring a permit, its use as a residence would also require it to have a permit. Since none were located for this parcel, a violation of unpermitted structure was constituted. The cooking area is located outside of the structure by use of a black Weber grill; however, I was unable to locate a bathroom facility in the vicinity of Building 1.

Individuals detained on site claim they were hired to work multiple adjacent parcels. This would indicate they were using bathroom facilities located on those adjacent parcels.

Also, within the fenced area on the parcel, I documented a recreational vehicle (RV) being used as a residential unit. Within I noted two (2) beds which appeared to have been recently used. This was verified by detainees on site. This is also in opposition of Humboldt County Ordinances, and a violation of use of a recreational vehicle as a residence was noted.

Immediately outside the RV, I also noted several containers of nutrients and chemicals typically used in cannabis cultivation operations. I also found several piles of solid waste located on this property, and noted violations of such.

Along most of the interior fence line were piles of solid waste.

This concludes my report.

<b>Locations of Interest: 081-021-038-000 Thomas Meagher</b>			
<b>Lat.</b>	<b>Long.</b>	<b>Description</b>	<b>Violation</b>
40.26540	-123.87529	Greenhouse 1; 1,368 ft <sup>2</sup> ; PVC, wood bracing; electrical, lighting; Cannabis; vegetative, 2' – 3' feet in height, in pots, plastic netting.	314-55.4 331-28 314- 55.4.12.4
40.26275	-123.87533	Greenhouse 2; 1,368 ft <sup>2</sup> ; PVC, wood bracing; electrical, lighting; Cannabis; vegetative, 6" – 24" inches in height, in pots, plastic netting.	314-55.4 331-28 314- 55.4.12.4
40.26531	-123.87541	Greenhouse 3; 1,368 ft <sup>2</sup> ; PVC, wood bracing; electrical, lighting; Cannabis; vegetative, 1' – 3' feet in height, in pots, plastic netting.	314-55.4 331-28 314- 55.4.12.4
40.26525	-123.57545	Greenhouse 4; 1,368 ft <sup>2</sup> ; PVC, wood bracing; electrical, lighting; Cannabis; vegetative, 1' – 3' feet in height, in pots, plastic netting.	314-55.4 331-28 314- 55.4.12.4
40.26522	-123.87549	Greenhouse 5; 1,368 ft <sup>2</sup> ; PVC, wood bracing; electrical, lighting; Cannabis; vegetative, 1' – 3' feet in height, in pots, plastic netting.	314-55.4 331-28 314- 55.4.12.4
40.26517	-123.57553	Greenhouse 6; 1,292 ft <sup>2</sup> ; PVC, wood bracing; electrical, lighting; Cannabis; budding, 2' – 4' feet in height, in pots, plastic netting.	314-55.4 331-28 314- 55.4.12.4
40.26510	-123.87534	Greenhouse 7; 525 ft <sup>2</sup> ; PVC, wood bracing; electrical, lighting; Cannabis; vegetative, 1½' – 3½' feet in height, in pots, plastic netting.	314-55.4 331-28 314- 55.4.12.4
40.26521	-123.87526	Greenhouse 8; 533 ft <sup>2</sup> ; PVC, wood bracing; electrical, lighting; Cannabis; vegetative, 1' – 3' feet in height, in pots, plastic netting.	314-55.4 331-28 314- 55.4.12.4
40.26530	-123.87516	Greenhouse 9; 360 ft <sup>2</sup> ; PVC, wood bracing; electrical; Cannabis; vegetative, 2' – 3' feet in height, in pots, plastic netting.	314-55.4 331-28
40.26525	-123.87501	Greenhouse 10; 1,680 ft <sup>2</sup> ; PVC, wood bracing; electrical, lighting; Cannabis; vegetative, 2' – 3' feet in height, in pots.	314-55.4 331-28 314- 55.4.12.4

40.26519	-123.87506	Greenhouse 11; 1,596 ft <sup>2</sup> ; PVC, wood bracing; electrical; Cannabis; flowering, 3' – 5' feet in height, in pots, plastic netting.	314-55.4 331-28
40.26513	-123.87508	Greenhouse 12; 1,764 ft <sup>2</sup> ; PVC, wood bracing; electrical; Cannabis; flowering, 3' – 5' feet in height, in pots, plastic netting.	314-55.4 331-28
40.26506	-123.87513	Greenhouse 13; 1,764 ft <sup>2</sup> ; PVC, wood bracing; electrical, lighting, plumbing; Cannabis; half of structure: vegetative, 12" – 24" inches in height, in pots. half of structure: budding, 3' – 4' feet in height, in pots.	314-55.4 331-28 314- 55.4.12.4
40.26502	-123.87515	Greenhouse 14; 1,764 ft <sup>2</sup> ; PVC, wood bracing; electrical, lighting, plumbing; Cannabis; vegetative, 12" – 24" inches in height, in pots.	314-55.4 331-28 314- 55.4.12.4
40.26497	-123.87523	Greenhouse 15; 1,596 ft <sup>2</sup> ; PVC, wood bracing; electrical; Cannabis; budding, 3' – 5' feet in height, in pots, plastic netting.	314-55.4 331-28
40.26435	-123.87553	Outdoor 1; 15 ft <sup>2</sup> ; Cannabis; vegetative, 3' – 5' feet in height, in pots.	314-55.4
40.26504	-123.87541	Building 1; 96 ft <sup>2</sup> ; wooded; pier-and-post foundation; electrical, lighting; Used as Residence.	331-28 521-4
40.26411	-123.87483	Recreational Vehicle; used as residence. Solid Waste.	314-81.1 521-4

<b>VIOLATIONS FOR PARCEL: 081-021-038-000 Thomas Meagher</b>		
<b>Section</b>	<b>Nature</b>	<b>Count</b>
331-28	Const. of Building/Structure in Violation of Building, Plumbing and/or Electrical Codes	16
314-55.4	Violation of the Commercial Cannabis Land Use Ordinance	19,714 ft <sup>2</sup>
314-55.4.12.4	Night Sky Light Pollution Control	10
521-4	Improper Storage and Removal of Solid Waste	12
314-81.1	Use of a Recreational Vehicle or Mobile Home as a Residence	1

<b>NOTES: 081-021-038-000 Thomas Meagher</b>	
<b>Number of Plants:</b>	7,934 cannabis plants eradicated
<b>Processed:</b>	580 pounds shake
<b>People on Site:</b>	
	8 Adult Males Claim to be workers of the sites
<b>Other Notes:</b>	
	The detainees stated they work all the adjacent parcels at this location, which directly ties all the parcels together.
	Firearms found on site.

**ATTACHMENT 3**  
**Site Plan and Operations Plan**





## OPERATIONS PLAN



### 1) Water

- a) Water Source – 60gpm well located on APN: 081-021-007. Same property owners as the cultivation site with documented easements for water to travel under county roads.
- b) Existing 28000 gallon steel water tank stores water to feed the [pressure pump
- c) Irrigation Method – drip irrigation (t-tape)
- d) Projected Water Usage – irrigate once weekly using approximately 1200gal/1000sf. Assuming a 4 month season and 10000sf of cultivation, the total annual use for the project would be around 192,000 gallons.
- e) No forbearance

### 2) Site Drainage – flat topography, all water stays on property.

### 3) Environmental Protection - We don't believe this project poses any threat to the watershed or nearby habitat. This property and its native soil are ideal for agriculture.

### 4) Storage of Chemicals and Other Regulated products – We don't plan on using any chemicals in our operation, but if necessary we already have an existing Humboldt County pesticide permit for a current vineyard operation. We propose storing any fertilizer we need in a metal shipping container.

### 5) Cultivation Activities – This will be a <sup>38,000</sup>10000sf outdoor grow geared towards producing biomass for extraction purposes. We plan to plant in June and harvest whenever the flowers are ripe, probably end of September through October depending on variety.

### 6) Processing Plan – We believe trends strongly indicate that cannabis extracts will dominate the future medical and recreational markets. Furthermore, interest in live and whole plant extraction seems to be on the rise as well. If necessary, the biomass will be dried on site. We want to follow one of the three following paths.

- a) Sell the biomass fresh
- b) Dry under shade cloth or silage film with natural ventilation and sell untrimmed flowers to a permitted extraction operation
- c) Dry under shade cloth or silage film with natural ventilation and extract the essential oils ourselves. We are currently working with several chemists on developing a streamlined industrial process and equipment that will allow us to process significantly more biomass in a given period of time than any existing technology we are aware of.
- d) There is a restroom at the winery (once again, same property owners, but different parcel) that we will use.

### 7) Cultivation Cycles - one

### 8) Schedule of Activities

May – propagation (unless we buy clones)

June – planting

July – trellising/pruning (if necessary)

August – pruning (if necessary)

September – leafing (if necessary)

October – harvest

**9) Power Source** – The well pump and pressure pump run on PG&E electricity.

**10) Security Plan** – Whatever the planning department wants to see. We think perimeter mounted photo sensors, lights, cameras are appropriate, and maybe blackberries??