

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

**Resolution Number: 24-066**

**Record Number: PLN-12015-CUP  
Assessor's Parcel Number: 218-151-005**

**Resolution by the Planning Commission of the County of Humboldt certifying compliance with the California Environmental Quality Act and conditionally approving the Humboldt Headless Chicken Ranch Conditional Use Permit.**

**WHEREAS**, Humboldt Headless Chicken Ranch, provided an application and evidence in support of approving a Conditional Use Permit for an existing 30,106 square foot outdoor and 5,544 mixed light commercial cannabis cultivation operation for a total of 35,650 square feet; 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 §15162(c) of CEQA Guidelines; and

**WHEREAS**, the Humboldt County Planning Commission held a duly-noticed public hearing on September 19, 2024 and reviewed, considered, and discussed the application for a Conditional Use Permit and reviewed and considered all evidence and testimony presented at the hearing.

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

- 1. FINDING:**                      **Project Description:** A Conditional Use Permit for 35,650 square feet of existing cannabis cultivation of which 30,106 is outdoor and 5,554 square feet is mixed light. Estimated annual water usage is 238,000 gallons and is sourced from rainwater catchment, a point of diversion, and a permitted well. Water storage totals 420,400 gallons. Onsite processing is proposed, and power is sourced from a generator but is conditioned to convert to a renewable source by January 1, 2026.

**EVIDENCE:**            a) Project File: PLN-12015-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 §15162(c) of CEQA Guidelines.
- c) A Site Management Plan (SMP) showing compliance with the State Water Board Cannabis General Order for Waste Discharge. Conditions of approval (**Item C14**) require the applicant to adhere to and implement the recommendations of the SMP and maintain enrollment in the State Cannabis Cultivation Policy for the life of the project.
- d) The project is for pre-existing cultivation. The nearest spotted owl activity center is approximately 1.6 miles to the southwest and additional owl activity centers are further from the site. Use of the generator is subject to the standard condition limiting noise to 50dB at 100 feet from the generator or at the edge of the nearest forest habitat, whichever is closer. As proposed and conditioned, the project is consistent with CMMLUO performance standards and CDFW guidance and will not negatively affect the northern spotted owl or other sensitive species.
- e) A Biological Report concluded that continuing the operation will not impact species of concern or their habitat if the recommendations outlined in the Biological Report are followed. Recommendations are added as Conditions of Approval (**Item B2**).
- f) A Road Evaluation Report concludes the route leading to the subject parcel is developed to the equivalent of a category 4 road standard, is in good condition, and does not have any evidence of a site-specific safety problem.



## **FINDINGS FOR CONDITIONAL USE PERMIT**

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

**EVIDENCE:** a) General agriculture is a use type permitted in the Forestry Recreation (FR) 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 areas of the County in which primary uses include the growing and harvesting of timber and timber production facilities, including portable processing equipment. Compatible uses other than the direct growing, harvesting, and portable processing of timber include grazing and other agricultural uses.

b) All general agricultural uses are principally permitted in the 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 35,650 square feet of cultivation on a 40-acre parcel is consistent with this and with the cultivation area verification prepared conducted by staff.

d) All cultivation is at least 30 feet from all property lines and there are no public parks, churches, school bus stops or other sensitive receptors within 600 feet of the cultivation areas.

**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 (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 Deerfield Ranch Unit 4 filed in 1967 and exempted from tentative approval and parcel map or survey requirement by Statutes of 1965, Chapter 1180 due to the subdivision being all 40 acre or larger parcels.
  - c) The project will obtain water from rainwater catchment, a spring and permitted existing well which are eligible water sources.
  - d) A Road Evaluation Report found the access roads to be functionally appropriate for the expected traffic.
  - e) The slope of the land where cannabis will be cultivated is on existing flats.
  - f) The 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 35,650 square feet 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 over 40 acres and many of the land holdings are very large. The proposed cannabis will not be in a location where there is an established neighborhood or other sensitive receptor such as a school, church, park, or other use which may be sensitive to cannabis cultivation. Approving cultivation on this site and the other sites which have been approved or are in the application process will not



change the character of the area due to the large parcel sizes in the area.

- c) Irrigation water will come from rainwater catchment, a spring, and a permitted existing well which are eligible water sources.
- 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 the project the total approved permits in this Planning Watershed would be 107 permits and the total approved acres would be approximately 42.22 acres of cultivation.

**9. FINDING:** The use of the well and spring for cultivation purposes will not have any adverse impacts on any public trust resources.

**EVIDENCE:** a) The well is installed at a surface elevation of approximately 1,159 feet above sea level and to a depth of 217 feet below the surface and is screen at a depth between 20 and 217 feet below the surface. The water bearing unit is listed in the well completion report as a combination of basalt, fractured shale & quartz, and shale clay & sandstone which are indicative of a water bearing that is hard stone as opposed to alluvial. The nearest surface water feature is Chamise

Creek as its closet point to the well is approximately 48 feet below the bottom of the well. Chamise Creek contains important public trust resources, specifically recreational fisheries as it is host to winter run steelhead trout. While the well is screened at the same general elevation as the creek at its closest point, the water bearing unit in the screened interval is a mix of sandstone, basalt, fractured shale and quartz and Franciscan shale, all more indicative of a fractured bedrock condition than the underflow of a watercourse. Given the distance between the well and the Chamise Creek and the geologic layers of the water bearing unit, the well is unlikely to be diverting from any underflow of the creek or otherwise have any significant connection to the creek. As required by the Commercial Medical marijuana Land Use ordinance, the use of the spring must forbear during the period of May 15<sup>th</sup> to October 31<sup>st</sup> each year. By forbearing during the dry season, the use of the spring will be limited to periods where Chemise Creek is not impacted by low flows and the use of the spring will therefore not impact Chemise Creek. Based on all the above facts, it is unlikely that the use of this well will have any adverse impacts to the public trust resources such as the winter run of Steelhead Trout.



## 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 Humboldt Headless Chicken Ranch subject to the conditions of approval attached hereto as Attachment 1.

Adopted after review and consideration of all the evidence on **September 19, 2024**.

The motion was made by COMMISSIONER SARAH WEST and second by COMMISSIONER JEROME QIRIAZI and the following vote:

AYES: COMMISSIONERS: Sarah West, Jerome Qiriazzi, Iver Skavdal, Thomas Mulder,  
Peggy O'Neill, Lorna McFarlane

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS: Noah Levy

ABSTAIN: COMMISSIONERS:

DECISION: Motion carried 6/0

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**

### **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 **A5** through **A15**. 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. As soon as practicable and before cultivating in 2025, the permittee shall install water meters on all irrigation water sources as well as both points of diversion described Right to Divert and Use Water certificate H100119. The permittee shall utilize a water meter on all irrigation sources to demonstrate that there is sufficient water supply to meet the demands of the project. The water use for cultivation is limited to the use of the irrigation infrastructure described in the approved Operations Plan. The applicant will maintain logs of water usage and make the logs available upon request.
3. 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.
4. Within 60 days of the effective date of project approval, the permittee shall obtain a will serve letter from the Fire Protection District OR cause to be recorded an "ACKNOWLEDGMENT OF NO AVAILABLE EMERGENCY RESPONSE AND FIRE SUPPRESSION SERVICES" for the parcel(s) on a form provided by the Humboldt County Planning Division. Document review fees as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors will be required.
5. No later than January 1, 2026, the permittee will develop and fully implement an alternative renewable energy (i.e., solar, wind, micro-hydro) plan for electricity serving the cannabis operation such that generator use may be reserved for emergency use only.



6. 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.
7. The permittee shall obtain grading permits for all existing, unpermitted grading associated with the existing cannabis operation. No new grading is authorized.
8. The permittee shall obtain permits or exemptions for all structures associated with the cannabis operation.
9. The permittee shall implement a stormwater plan (site management plan) to direct surface flow away from streams to mitigate the existing threats of sediment delivery.
10. The applicant shall either properly store unused cages, located at coordinates 40.03.1162, -123.569883, to minimize the risk of wildlife entrapment or dispose of unused cages at a waste management facility.
11. Applicant shall fully contain compost piles onsite (specifically at coordinates 40.030769, -123.568087).
12. The applicant shall amend the LSAA to include the reservoir as a project in the LSAA by November 30, 2024.
13. The applicant shall complete the following items listed below by the specified dates or within two weeks of project approval and achieves and maintains compliance with the LSAA.
  - a. Submit Water Diversion Records with all required information for the 2023 water diversion season by March 31, 2024.
  - b. Implement an invasive Species Management Plan by December 31, 2023, and submit a copy of the monitoring report to CDFW annually.
14. The applicant shall adhere and complete the recommendations listed in the Road Evaluation Report.
15. The intersection of Road D and Island Mountain Road shall be rocked on Road D for a minimum width of 20 feet and a length of 50 feet. 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.

## **B. General Conditions**

1. Onsite processing is not authorized until a commercial structure is permitted and an adequate and approved wastewater system installed. Processing will occur offsite at a licensed facility until an eligible onsite structure is completed and approved.
2. The permittee shall follow the recommendations of the Biologist as described on page 23-24 of the Biological Assessment:
  - a. Conduct spring box maintenance and culvert replacement when there is no flowing water to reduce the chance of Foothill yellow-legged frog presence as well as reduce sediment discharge to Chamise Creek.
  - b. Avoid "stocking" the pond with any type of fish or other aquatic species to prevent the accidental introduction of bullfrogs.
  - c. Avoid impacting California oat grass prairies near the study area. If these areas are impacted, consult with a qualified biologist to mitigate for impacts.
  - d. Conserve existing wetlands and riparian habitats within and adjacent to the project areas. Use standard Best Management Practices during ground disturbance activities to prevent sediment runoff into waterways and wetlands.
  - e. Remove constructions debris and waste from and up to 100 feet around wetlands, drainage ditches, and streams.
  - f. Leave downed woody debris in place for wildlife habitat.
  - g. Limit clearing of vegetation to the non-breeding season for birds. If vegetation removal or work on structures is done between September 15 and February 28 (outside reproductive season for most birds), these activities are not likely to affect reproductive success. If brush clearing must occur during the reproductive season, nesting bird surveys should be performed by a qualified biologist to ensure that no active nests are destroyed.
  - h. Consider enclosing open structures that may provide nesting or roosting sites for birds or bats.
  - i. Use native and locally sourced plant material for landscaping and revegetation when applicable.
  - j. Remove any populations of Himalayan blackberry, teasel, and thistle in project area when possible.
  - k. In order to prevent further spread of invasive plant species, clean vehicle tires and boots before and after completing work on construction-related activities in the project area.
  - l. Ensure that future development or new fencing does not prevent wildlife movement through nearby riparian corridors and refrain from the use of



monofilament netting in any project-related activities to prevent wildlife entanglement.

- m. Keep noise levels from generators or other equipment down to 50 decibels or less at 100 feet distance from the noise source, or the edge of the nearest critical habitat for sensitive wildlife species, whichever is closer.
  - n. Any external lighting should comply with the International Dark Sky Association standards for lighting zones zero (O) and one (1) and be designed to regulate light spillage onto neighboring properties or sensitive habitat areas resulting from back-light, up-light, or glare.
  - o. Refrain from the improper storage or use of any fuels, fertilizer, pesticides, fungicide, rodenticide, or herbicide. Any uses of pesticide products shall be in compliance with State pesticide laws and regulations enforced by the County Agricultural Commissioner's Office and the California Department of Pesticide Regulation.
- 3. The permittee shall take action to form or join a Road Maintenance Association (RMA) for the maintenance of the roads. In the event the applicant is unable to coordinate formation or join an RMA, the permittee shall pay fair-share cost for maintenance of the road to any road user engaged in maintaining the roads.
  - 4. Cultivation activities may be supported by portable toilets.
  - 5. 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.
  - 6. The applicant is responsible for obtaining all necessary County and State er and licenses, and for meeting all requirements set forth by other regulatory agencies.
  - 7. 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.
  - 8. 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.

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

1. If cultural resources are encountered during construction activities, the contractor on site shall cease all work in the immediate area and within a 50-foot buffer of the discovery location. A qualified archaeologist and the appropriate Tribal Historic Preservation Officer(s) are to be contacted to evaluate the discovery and, in consultation with the applicant and the lead agency, develop a treatment plan in any instance where significant impacts cannot be avoided. Prehistoric materials may include obsidian or chert flakes, tools, locally darkened midden soils, ground-stone artifacts, shellfish or faunal remains, and human burials. If human remains are found, California Health and Safety Code 7050.5 requires that the County Coroner be contacted immediately at 707-445-7242. If the Coroner determines the remains to be Native American, the Native American Heritage Commission will then be contacted by the Coroner to determine appropriate treatment of the remains pursuant to Public Resources Code (PRC) Section 5097.98. Violators shall be prosecuted in accordance with PRC Section 5097.99.
2. The combination of background, generator and greenhouse fan or other operational equipment created noise must not result in the harassment of Northern Spotted Owl species as required to meet the performance standards for noise set by Department Policy Statement No. 16-005. The combined noise levels measured at 100 feet or the edge of habitat, whichever is closer, shall be at or below 50 decibels. Conformance will be evaluated using current auditory disturbance guidance prepared by the United State Fish and Wildlife Service, and further consultation where necessary. A building permit shall be obtained should any structures be necessary for noise attenuation.
3. All artificial lighting shall be fully contained within structures such that no light escapes (e.g., through blackout curtains). Structures shall be shielded between 30 minutes prior to sunset and 30 minutes after sunrise to prevent disruption to crepuscular wildlife. Security lighting shall be motion activated and comply with the International Dark-Sky Association standards and Fixture Seal of Approval Program. Standards include but are not limited to the following, 1) light shall be shielded and downward facing, 2) shall consist of low-pressure sodium (LPS) light or low spectrum light emitting diodes with a color temperature of 3000 kelvins or less and 3) only placed where needed.
4. Should the Humboldt County Planning Division receive complaints that lighting or noise is not complying with the standards listed above in this permit, within ten (10) working days of receiving written notification that a complaint has been filed, the applicant shall submit written verification that the light shielding and alignment, and noise levels have been repaired, inspected, and corrected as necessary.



5. The use of monofilament netting for all uses, including but not limited for erosion control, shall be prohibited. Geotextiles, fiber rolls, and other erosion control measure materials shall be made of loose-weave mesh, such as jute, hemp, coconut (coir) fiber, or other products without welded weaves to minimize the risk of ensnaring and strangling wildlife.
6. All refuse shall be contained in wildlife proof containers, always, and relocated to an authorized waste management facility, in compliance with State and local laws, on a regular and on-going basis.
7. Should any wildlife be encountered during work activities, the wildlife shall not be disturbed and be allowed to leave the work site unharmed.
8. The use of anticoagulant rodenticide is prohibited.
9. The operator shall provide information to all employees about the potential health impacts of cannabis use on children. Information shall be provided by posting the brochures from the Department of Health and Human Services titled "Cannabis Palm Card" and "Cannabis Rack Card." This information shall also be provided to all employees as part of the employee orientation.
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 ads, 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. Per Section 1273.03 of State Fire Safe Regulations: (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.



**HUMBOLDT HEADLESS CHICKEN RANCH, INC.**  
**AMENDED**  
**CULTIVATION, OPERATIONS, AND SECURITY PLAN**  
**OPERATIONS PLAN**

Amended 10/08/2023



**INTRODUCTION:**

This cultivation, operations, processing, and security plan is for the property located at 1530 D Road, Garberville, Ca 95542, APN: 218-151-005. This is a pre-existing site that has been in this process since 2016. The owner operator of this small family farm is William Finley. Many updates have been shared with Humboldt county staff or contracted affiliates over the years in the format they requested; however, these updates have not always made it into project files that current planners have access to. Rather than providing a number of confusing addendums created over the years after a rocky road being assigned to over five different planners and enduring a number of regulatory changes that have forced alterations to the project plans, I have amended this cultivation plan to include all the information in one more easily understandable document that should help clarify any unclear project details.

The project seeking full approval is a pre-existing farm with an outdoor cultivation area of 30,106 square feet and a mixed light cultivation area of 5,544 square feet. Total cultivation area of 35,650 square feet. The project water use is estimated to be 420,400. The onsite storage available to the cannabis irrigation operation is currently 468,000 gallons.

**WATER SOURCE:**

The commercial cannabis irrigation water on this farm comes from six different sources; a rainwater catchment pond, two wells, a spring with SIUR (REGISTRATION H501038 CERTIFICATE H100119) and two active rainwater catch roofs with one more rainwater catch roof planned. This diversified water system along with robust onsite storage will ensure water is available in times of drought and/or changing regulations.

This property has one off-stream rainwater catch pond with an approximate capacity of 230,000 gallons. Applicant had Pacific Watershed Associates, SHN consulting and engineers and CDFW confirm this is indeed a rainwater catchment pond during onsite visits. Pond capacity was estimated using SWRCB standard calculation. Capacity (in acre-feet) may be estimated as follows =  $0.7 \times (\text{maximum depth of water in feet}) \times (\text{surface area in acres when full})$ . The pond has a maximum depth of 12 feet. The pond is  $60' \times 80' = 4800\text{sf}$  with a surface area of 0.11019 acres.  $0.11019 \times 12 \times 0.7 =$  estimated capacity of 0.9256 acre feet or 301,608 gallons. This pond receives sheet flow runoff from the adjacent area upslope of the pond helping it fill during the winter months. We estimated the area that drains towards the pond to be around 5,000 sq. ft. We estimate the water storage capacity of this rainwater catch pond to be 230,000 gallons. We estimated a bit under the calculated max capacity to reflect usable capacity rather than total max capacity when planning water availability.

**Amended 10/8/2023 - Cultivation, Operations, and Security Plan 1**

**APP #12015 - CASE #CUP16-500**



Applicant has two buildings equipped with gutters and rainwater catch systems. Cannabis use building(CUB) #1 & 2. CUB#1 is 26'x40' with a 2' overhand on all sides making it 28'x44'= 1,232sf of catch surface. CUB#2 is 30'x32 with a 2 foot overhang making it 34'x36'= 1224sf of catch surface. for a total active rainwater catch roof surface of 2,456sf. The applicant plans to install a processing building equipped with rainwater catchment gutters that would measure 34'x64'= 2176sf of additional rainwater catch roof area. Gutters feed into 5000 gallon catch tanks equipped with pumping systems with automatic shutoff as well as manual shut-offs incase of malfunction. Water is transferred from these 5,000 gallon catch tanks to long term storage for use during the dry season. See storage information below for property water storage information.

General calculations of rainwater catch potential of the onsite system follow. Local rainfall averages vary from different sources between 50-70 inches of rain on average per year. US Climate Data.com puts Garberville California average rainfall at 68.9 inches per year. NOAA -National center for Environmental information online dataset for Garberville from 2012-2022 reflects an average rainfall of 50.08125 inches per year. Older rainfall records available through NOAA show a higher average rainfall for the Garberville area. We have set our average rainfall at 50 inches for our calculations since that is the most recent average rainfall for our area. Simple rainwater catch potential formulas state you can capture .62 gallons of water per square foot of catchment surface. Applicant has 2,456sf of active roof catchment surface x .62gallons x 50 inches of rain per year = 76,136 rainwater catch potential. Applicant has 2176sf of additional planned rainwater catch area with a potential to contribute an additional 67,456 gallons of rainwater to the operation per year. Applicant has a rainwater catch pond with a 4800sf area that collects sheet flow runoff from the adjacent upslope area measuring over 5000sf. (9800sf x 0.62 x 50)= 303,800gallons. 76,136 gallons of active roof potential + 230,000 gallon pond usable capacity = total current rainwater potential is 306,136 gallons per year. Total potential rainwater catch potential of 373,592 gallons per year after the third rainwater catch roof is installed.

The Applicant has worked with Fisch Drilling to complete well completion reports for both wells (WCR2017-005978, permit # 16/17-1215 & WCR2018-010195, permit # 18/19-0229). As required by Humboldt County Planning and Building starting 01/01/2023, in order to remain in good standing, this farmer discontinued use of their groundwater wells for irrigation of commercial cannabis until newly required hydrological studies are complete.(this farmer cannot currently afford any more studies but wishes to reserve the right to do them in the future.) The groundwater wells will not be utilized for commercial cannabis irrigation until such time a hydrological study is complete by an appropriate professional, submitted to Humboldt County Planning and Building, and approved by Humboldt County Planning and Building. It should be noted that there are numerous other sources that allow the farm to stay in normal operation without utilizing any well water. The property has a rainwater catch pond, two active rainwater catch roofs and one more rainwater catch roof planned, numerous hard storage tanks onsite, and a SIUR water right to fill hard tanks during the winter.

Unfortunately relying on rainwater catch in recent drought years that sometimes dip well under the local average rainfall is not an option. That's why this farmer maintains a SIUR water right to divert from a small spring in a class three stream and an extensive hard tanks storage onsite. This ensures the farmer can fill onsite hard storage tanks during the winter months. Even that water right becomes a

**Amended 10/8/2023 - Cultivation, Operations, and Security Plan 2**

**APP #12015 - CASE #CUP16-500**

**APN 218-151-005**

challenging source to use during extreme drought years. That's why this farmer also seeks to maintain their right to utilize their groundwater wells in the future.

### **Water Storage:**

Applicant has 47 active 5,000 gallon water tanks used for cannabis irrigation and one additional 3000 gallon tank for a total current hard tanks storage capacity of 238,000 gallons for cannabis irrigation purposes. See map for hard tank and pond storage locations. This applicant invested a considerable amount on water storage to ensure that water is always available to their operation in years of drought and during unpredictable regulatory changes.

This property has one off-stream rainwater catch pond with an approximate capacity of 230,000 gallons. Pond capacity was estimated using SWRCB standard calculation. Capacity (in acre-feet) may be estimated as follows =  $0.7 \times (\text{maximum depth of water in feet}) \times (\text{surface area in acres when full})$ . The pond has a maximum depth of 12 feet. The pond is 60'x80'=4800sf with a surface area of 0.11019 acres.  $0.11019 \times 12 \times 0.7 =$  estimated capacity of 0.9256 acre feet or 301,608 gallons. This pond receives sheet flow runoff from the adjacent area upslope of the pond helping it fill during the winter months. We estimated the area that drains towards the pond to be around 5,000 sq. ft. We estimate the water storage capacity of this rainwater catch pond to be 230,000 gallons. We estimated a bit under the calculated max capacity to reflect usable capacity rather than total max capacity when planning water availability.

This property has a total current water storage capacity of 468,000 gallons with 11 more 5,000 gallon tanks planned (with funding provided by Humboldt/DCC grant process). After the last tanks are installed the property total hard tank storage capacity will be 290,000 gallons and the total property wide storage capacity will be 523,000 gallons.

The commercial cannabis irrigation water on this farm comes from six different sources; a rainwater catchment pond, two wells, a spring with SIUR, and two active rainwater catch roofs with one more rainwater catch roof planned. The property has hard storage and a rainwater catchment pond for a total storage capacity of 468,000. Water storage exceeds the estimated yearly water use of this farm and the diverse water sources should provide adequate water throughout drought years and unpredictable regulatory changes.

### **PROJECTED WATER USAGE:**

Applicant on average grows about 450 outdoor cannabis plants and 1400 mixed light cannabis plants per year. Based on past water use the applicant anticipates using about 420,400 gallons of water per year, when operating at full size.

Applicants will on average cultivate 450 outdoor plants, watering them every other day during the cultivation season, the cultivation season is June 1-October 30 (152days), Each watering the applicant applies 10 gallons of water per plant, based on this information about past water use the applicant anticipates using approximately 342,000 gallons of water per year on outdoor cultivation

**Amended 10/8/2023 - Cultivation, Operations, and Security Plan 3**

APP #12015 - CASE #CUP16-500

APN 218-151-005



{(450 plants X 10 gallons of water= 4500 gallons of water per watering) X (152 days:2 = 76 watering days per year) = 342,000 gallons average water use }

Applicants will on average cultivate 1400 mixed light plants, watering every third day during the cultivation season, the cultivation season consists of two cultivation runs with a maximum of 12 weeks per cultivation run (168days), each watering the applicant applies 1 gallons of water per plant, based on this information about past water use the applicant anticipates using approximately 78,400 gallons of water per year on mixed light cultivation. {(1400 plants X 1 gallons of water= 1400 gallons of water per watering) X (168 days:3 = 56 watering days per year) = 78,400 gallons average water use}

Applicant's total water usage for the growing season is projected to be approximately 420,400. gallons of water. The above figures are weather dependent and are only estimated water usage totals. Applicant has meters to measure actual yearly water usage, usage has been well under these totals in recent years! Onsite water storage is more than adequate to meet project needs.

#### **IRRIGATION PLAN:**

Irrigation water is applied at agronomic rates to minimize over watering cannabis plants and reducing the risk of irrigation runoff. Irrigation is applied through a pressure- regulated, drip emitter system with timers and hand-watering/regulated fertilizer injector system for feeding applications. Applicant will water every other day. Applicant waters in the morning/early evening hours to reduce evaporative loss. Ground cover and weed barrier is used to minimize weed growth, which reduces water loss during watering. Applicant uses natural soil amendments to aid in soil moisture retention as part of the irrigation plan.

#### **SITE DRAINAGE:**

There are four watercourses located on the property. A Class I stream and three Class III streams. All cultivation is appropriately setback from streams located on the property. There is one stream crossing on a class 3 stream. Applicant has replaced this stream crossing with full permission from both CDFW and the SWRCB. The stream crossing was upsized at the request of CDFW and otherwise installed as directed by Pacific Watershed Associates to meet all current requirements. The stream crossing was rip rapped at its entrance and exit and blue rock was spread after construction 50ft in both directions. All proper reports have been complete and no further work is needed on this stream crossing.

#### **EROSION CONTROL MEASURES:**

Applicant's roads will be adequately rocked and equipped with drainage features such as rolling dips spaced appropriately to direct surface flow from roads away from unstable areas and disperse flows to areas where little to no erosion will occur. If a need arises Applicant will also implement water

**Amended 10/8/2023 - Cultivation, Operations, and Security Plan 4**

**APP #12015 - CASE #CUP16-500**

**APN 218-151-005**



bars in steeper road segments to discharge flows away from the road surface and prevent rutting and gullyng.

Appropriate erosion control measures will be implemented as needed including but not limited to straw bales, fiber rolls, siltation control fencing, and adequate seeding to stabilize slopes and prevent erosion from activities. No grading will be needed for this project.

Applicant has and will continue to consult with, and implement recommendations by, SHN Engineers & Geologists or other similar consultant to address erosion concerns on the property. Applicant will seed any areas of exposed soils with native grasses to prevent bare soil erosion and will implement best management practices to prevent erosion from occurring around roads and developed areas.

#### **RUNOFF CONTROL MEASURES:**

There is no runoff from Applicant's cultivation activities. Applicant uses drip irrigation, waters at agronomic rates, uses timers to avoid overwatering and maintains vegetation around cultivation areas and riparian areas to minimize runoff and sediment transportation to receiving waters. Applicant's outdoor cultivation areas produce no concentrated storm water runoff from the cultivation areas.

Applicant will be cultivating in raised beds and smart pots to prevent excess irrigation runoff and promote soil moisture retention. Cover crops will be planted at the end of the year to promote soil regeneration.

Applicant will re-seed and re vegetate any exposed soils around the cultivation areas and install straw bales and sediment control fencing on slopes or discharge points that may transport sediment to receiving waters. Applicant will maintain vegetated buffers around greenhouses to promote infiltration, disperse flows, and prevent concentrated stormwater runoff from reaching surface waters. Applicant has completed a site management plan and the applicant is actively implementing many runoff and erosion control measures outlined in that plan including but not limited to completing the culvert upgrade/replacement.

#### **PROTECTION OF WATERSHED AND HABITAT:**

Cultivation areas are all setback 100-feet from the nearest watercourse. Buffers are maintained at natural slope with native vegetation to prevent sediment transport to receiving waters. These buffers are unaltered and appear to be of sufficient width to filter wastes from runoff and to maintain essential functions of riparian areas. Riparian areas are protected in a manner that maintains their essential functions.

#### **WASTE MANAGEMENT PLAN:**

Applicant is implementing measures to reduce and/or eliminate cultivation related waste. All plant related material will be composted in bins to prevent nutrient transport and will be reused as part

**Amended 10/8/2023 - Cultivation, Operations, and Security Plan 5**

**APP #12015 - CASE #CUP16-500**

**APN 218-151-005**

of Applicant's soils management plan. Pots containing starts and clones will be washed, rinsed, and reused between seasons and recycled at the end of their useful life. Applicant will recycle pesticide and fertilizer containers per California pesticide regulations. All other associated waste will be placed in garbage cans with lids and stored in the covered waste storage area to prevent nutrients from being leached to groundwater or transported to watercourses. Applicant will determine frequency of disposal to permitted disposal sites that prevents rodent infestation and other nuisances on the property. This will likely be done on a bi-weekly schedule during the growing season.

#### **REFUSE DISPOSAL:**

The site generates little human refuse. Applicant has garbage cans equipped with lids in secondary containment to prevent leaching and transport of foreign materials to receiving waters. The cans are stored in the waste storage area as show on the site plan. Applicant will determine the frequency of pickup and delivery to disposal facilities that prevents rodent infestation and other nuisances on the property. This will likely be done on a bi- weekly schedule during the growing season.

#### **HUMAN WASTE:**

Applicant has two (2) portable toilets that currently service the cultivation activities onsite. Applicant hopes to install a septic system south east of cannabis use building #6 and #7 when the planned processing facility building can be established. Current market conditions have not allowed this farmer to move forward with further development of the processing facility plans.

#### **PEST MANAGEMENT PLAN:**

Cultural pest-management control methods:

Removing dead leaves and branches from plants on a regular basis. I do my best to keep my gardens free of sick or unhappy plants, or branches on plants, because an unhealthy plant can easily become a breeding ground for unwanted pests.

Biological pest-management control methods:

Beneficial insects and beneficial microbes are used to combat pests throughout the growing cycle. I utilize and maintain a season long preventative release schedule, always using beneficials as a first response to any pest detection.

Biologicals include *Memoseiulus longipes*, green lacewing, beneficial mycorrhizal, and predatory neamatodes.

Chemical pest-management control methods:

Products used will follow all guidelines from the California Department of Pesticide Regulation document titles "Legal Pest Management Practices for Cannabis Growers in California". This

**Amended 10/8/2023 - Cultivation, Operations, and Security Plan 6**

**APP #12015 - CASE #CUP16-500**

**APN 218-151-005**



document lists 36 active ingredients that are acceptable for use on Cannabis. Additionally the product must be listed for use on "flowers & Flowering plants".

I apply chemicals only when the potential yield of the crop is being effected by a pest problem. When at all possible I use other methods available to keep the pest population under control. I always follow all safety guidelines for chemicals used.

Chemicals to be applied at any stage of growth:

product name:	Active ingredient(s)
Javelin	Bacillus thuringiensis, subsp. kurstaki
cease	Bacillus subtilis
Neem Oil	100%neem oil labeled as leaf polish
Kopa	Potassium salts of fatty acids
Dr. Zymes	Citric acid
Botanigard	Beauveria bassiana
Actinovate (soil use only)	Streptomyces lydicus WYEC 108
Defgaurd	Bacillus amyloliquefaciens
Preferal	Isaria fumosorosea
Baking soda	Sodium Bicarbonate
RootShield	Trichoderma harzianum rifai strain KRL-AG2
Mad farmer peroxide	Hydrogen peroxide

For further more in depth explanation on my pest management practices please refer to the complete 11 page pest management plan prepared by Dirty Business Soil Consulting & Analysis, LLC.

## PESTICIDES:

Pesticides are stored in secondary containment on a shelf in Cannabis Use Building #9(cargo container for storage), which is equipped with a non-permeable floor liner to prevent leaching of pesticides into groundwater or transport to surface waters. Pesticides will be kept in original containers with original labels and kept in secondary containment totes to further minimize spills from transportation to groundwater or receiving surface waters. Approved spill proof containers with appropriate warning and information labels will be used to transport pesticides to and from the site.

Applicant will maintain and keep personal protective equipment required by the pesticide label in good working order. Coveralls will be washed after use when required.

**Amended 10/8/2023 - Cultivation, Operations, and Security Plan 7**

APP #12015 - CASE #CUP16-500

APN 218-151-005

All required warning signs will be posted and material safety data sheets (MSDS) will be kept in the area where pesticides are stored. Emergency contact information in the event of pesticide poisoning shall also be posted at the work site including the name, address and telephone number of emergency medical care facilities.

Before making a pesticide application, operators will evaluate equipment, weather conditions, and the property to be treated and surrounding areas to determine the likelihood of substantial drift or harm to non-target crops, contamination, or the creation of a health hazard.

#### **FERTILIZERS:**

Fertilizers will be stored in Cannabis use Building #9 referenced above which is equipped with a non-permeable floor liner to prevent leaching and transport to surface waters. Applicant will store and use fertilizers according to the protocols it uses for pesticide storage and use following all label directions. Fertilizers will be kept in secondary containment totes to further prevent spills. Applicant will use all fertilizers according to the label and use personal protective equipment as required by the label.

Before making a fertilizer application, operators will evaluate equipment, weather conditions, and the property to be treated and surrounding areas to determine the likelihood of substantial drift or harm to non-target crops, contamination, or the creation of a health hazard.

#### **SOIL AMENDMENTS:**

Applicant stores less than 250 lbs. of soil amendments on-site. Soil amendments are applied immediately upon purchase.

Before making a soil amendment application, operators will evaluate equipment, weather conditions, and the property to be treated and surrounding areas to determine the likelihood of substantial drift or harm to non-target crops, contamination, or the creation of a health hazard.

#### **POWER SOURCE:**

This applicant began the cannabis permitting process way back in 2016 using a generator rated under 50 HP to power this operation. The Generator met Tier 4 engine requirements pursuant to Title 13, Division 3, Chapter 14, section 2702 of the CCR. At the time Humboldt was selling generator use as a perk of coming into the cannabis permitting process early and this farmer believed they would be able to keep this generator in use. Despite having been in the process for many years providing everything requested to the county while awaiting processing the rules related to generator use on this farm changed drastically. The applicant then shifted to planning how to possibly afford a solar system capable of providing power to their operation since grid power is not available in their area. Given current market conditions they didn't know how they could possibly afford it. However, this applicant was lucky enough to land a DCC/Humboldt county renewable energy grant to allow them to meet these

**Amended 10/8/2023 - Cultivation, Operations, and Security Plan 8**

**APP #12015 - CASE #CUP16-500**

**APN 218-151-005**



ever changing requirements. This grant will allow them to purchase a secondary solar array and new batteries. The applicant anticipates only using their generator on occasion during peak use season(July -October) and as an emergency backup power source after this solar system is installed.

A solar system is currently being ordered and will be installed shortly that will provide power to the operation. Backup power will be supplied via a generator. Generator is located on the property as seen on the site plan. The generator is equipped with secondary containment to prevent seepage of fuels to groundwater or surface water. Applicant will sufficiently muffle sound from generators to less than 50 dbs. to protect surrounding habitat.

During the grant application process for the Renewable energy grant this applicant calculated estimated power use and compared it to the power capabilities of the desired solar system. After installation of the grant funded solar upgrades on the property the applicant anticipates reducing generator use to only peak month use July- October. The onsite system is equipped with the needed connections to allow the backup generator to be utilized as needed to recharge batteries. The batteries will recharge from the generator while it runs and further reduce hours of generator use needed July through October. The applicant anticipate some generator use will still be needed during these peak use months. Expected generator use is about 5 hours per day July-October only rather than 24 hours a day most of the year.

The applicant anticipates being able to use exclusively solar power 90-95% of the time after installation of the grant funded solar equipment. Solar is weather dependent and it is important to have the backup power system present and active to ensure batteries are not over-drained as it can cause decreased energy storage capacity.

#### **PETROLEUM PRODUCTS AND STORAGE:**

Applicant stores 2,000 gallons of diesel on-site in tanks equipped with secondary containment as labeled on the site plan. Gas cans are stored in secondary containment. Applicant has a spill- proof kit on site to prevent seepage into groundwater or transport to surface water. Applicant will store combustible materials in a different location from petroleum products. Generators are equipped with secondary containment and spill-prevention kits are on-site. Applicant will muffle generator noise to less than 50 dbs to prevent disturbance of surrounding habitat. Combustible materials shall be stored separately from petroleum products.

#### **CULTIVATION ACTIVITIES:**

Applicant has an interim permit with the county of Humboldt that exceeds the actual cultivation size of the operation. Applicant has a full-term outdoor cultivation site with cultivation area of 30,106sf and mixed light cultivation area of 5,544sf

Applicant is anticipating two runs of mixed light cultivation. The lighting source for the mixed light facilities will comply with the International Dark Sky Association's standards as outlined in the Commercial Medical Marijuana Land Use Ordinance. Applicant will tarp and sufficiently shield greenhouses so that light will not escape to neighboring parcels.

**Amended 10/8/2023 - Cultivation, Operations, and Security Plan 9**

**APP #12015 - CASE #CUP16-500**

**APN 218-151-005**

**Employees:**

Applicant anticipates hiring one full time employee and between five (5) and seven (7) seasonal or part time employees. Portable toilets will service employee needs on the site. Employees will be solely involved in planting crops and no processing activities will be complete by employees.

Applicant will comply with all applicable federal, state, and local laws and regulations governing California agricultural employers. Applicant will execute a statement declaring it is an agricultural employer as defined in the California Labor Code.

Applicant will follow all performance standards outlined in Humboldt County's Commercial Medical Marijuana Land Use Ordinance ("CMMLUO") with respect to cultivation activities, including developing employee safety protocols which include: 1) an emergency action response plan and spill prevention protocols; 2) employee accident reporting and investigation policies; 3) fire prevention policies; 4) maintenance of Material Safety Data Sheets (MSDS); 5) materials handling policies; 6) job hazard analyses; and 7) personal protective equipment policies. Applicant will ensure that all safety equipment is in good and operable condition, and provide employees with training on the proper use of safety equipment.

Applicant will post and maintain an emergency contact list which includes: 1) operation manager contacts; 2) emergency responder contacts; and 3) poison control contacts. All cultivation activities will be charted and calendared and visibly posted in the cultivation facilities.

**PROCESSING ACTIVITIES:** (to include drying curing and bucking down flower):

Temporary processing facilities are located in office trailers onsite (Cannabis Use building 5 & 6 on siteplan). Processing that takes place onsite includes drying, curing, and bucking down of product. Processing also takes place in Cannabis use building 1 and 4.

A 30'x60' processing building is proposed to replace Cannabis Use Buildings #5,6,& 7. This proposed processing building would be used for drying, curing, and bucking down of flower. Proposed building roof will be equipped with rainwater catch gutter system. A septic system is planned southeast of the proposed building site.

Trimming and packaging of product does not occur onsite. I have been working with Green ox for processing needs in recent years.

**SECURITY FEATURES:**

Applicant's property is located 26 miles from the near town and one mile off a County-maintained road with locked gates at either end of the road. All doors and windows, including greenhouse doors are lockable. All access roads have gates with locks. Outdoor cultivation areas have perimeter fencing. "No Trespassing" signs are posted at various points along the perimeter of the property. Finished product is stored in a locked area away from the processing area.

**Amended 10/8/2023 - Cultivation, Operations, and Security Plan 10**

**APP #12015 - CASE #CUP16-500**

**APN 218-151-005**



To ensure the non-diversion of product, Applicant participates in the state track and trace program.

### **Schedule of Activities During Each Month of the Growing and Harvesting Season**

Note: With the improvements being made to the onsite solar system, the applicant anticipates a large reduction in generator use. The solar system upgrades have not yet been installed. The applicant has left the previous generator use information on the below schedule but hopes to be able to reduce generator use drastically in the near future.

#### **January**

- Repairing fencing
- Starting nursery in “start room
- Estimated daily generator use: 18 hrs.

#### **February**

- Maintain Nursery
- Repairs, if any
- Estimated daily generator use: 18 hrs.

#### **March**

- Maintain Nursery
- Repairs, if any
- Estimated daily generator use: 18 hrs.

#### **April**

- Plant in greenhouses
- Maintain nursery in “start room”
- Water every other day and fertilize
- Estimated daily generator use: 18 hrs.

#### **May**

**Amended 10/8/2023 - Cultivation, Operations, and Security Plan 11**

**APP #12015 - CASE #CUP16-500**

**APN 218-151-005**

- Maintain plants in greenhouses
- Water every other day and fertilize
- Estimated daily generator use: 18 hrs.
- End of May plant all outdoor plants

#### June

- Maintain both nurseries
- Water every other day and fertilize
- Estimated daily generator use: 18 hrs.

#### July

- Maintain both nurseries
- Water greenhouse every other day and fertilize
- Harvest Greenhouses
- Estimated daily generator use: 18 hrs.
- the end of July process first run of mixed light cultivation
- Water every other day and fertilize
- Maintain nurseries

#### August

- Water every other day and fertilize in greenhouses
- Estimated daily generator use: 24 hrs.
- Convert from nursery room to drying room

#### September

- Water every other day and fertilize
- Processing
- Estimated daily generator use: 18 hrs.

#### October

**Amended 10/8/2023 - Cultivation, Operations, and Security Plan 12**

APP #12015 - CASE #CUP16-500

APN 218-151-005



- Harvest 2nd run of greenhouse
- Water every other day and fertilize
- Harvest outdoor cultivation
- Estimated daily generator use: 24 hrs.

November

- Repairs, if any

December

- Repairs, if any

**Amended 10/8/2023 - Cultivation, Operations, and Security Plan 13**

APP #12015 - CASE #CUP16-500

APN 218-151-005



Humboldt Headless Chicken Ranch

01/4/2023

Addendum to Humboldt County Cultivation and Operations Plan

APP#12015

APN 218-151-005

Water Source:

As required by Humboldt county to remain in good standing, the groundwater wells will not be utilized for commercial cannabis irrigation until such time a hydrological study is complete by an appropriate professional, submitted to Humboldt County Planning and Building, and approved by Humboldt County Planning and Building. It should be noted that there are numerous other sources that allow the farm to stay in normal operation without utilizing any well water. The property has a rainwater catch pond, two active rainwater catch roofs and more planned, numerous tanks totaling 287,400 gallons of hard tank storage onsite for both domestic and irrigation purposes.

All water sources remain as stated in previous documents. one spring with SIUR, one rainwater catch pond, two wells, and multiple rainwater catch roofs (with more planned). See site plan on file for complete details.



# Humboldt County Site Plan Humboldt Headless Chicken Ranch

APN: 218-151-005

Site address:

1530 D Road

Garberville, Ca 95542

Mailing Address:

69 Nob Hill Road

Whitethorn, Ca 95589

Rev. 10/08/2023

## Abbreviations:

WT - Water Tank(s)  
DPL - Distance to Property Line  
GH - Greenhouse/Mixed light  
OD - Outdoor  
CUB - Cannabis use building

## Map Legend

Grow Area  
Property line (Humboldt County GIS)  
Road  
Seasonal ATV Road  
Stream  
Approximate County SMA (see SMA Report for Mapping)  
Cannabis use building  
Non cannabis use building  
Water storage tanks  
Spring box  
Well  
Other point of interest

## Cannabis Use Building information (CUB)

#1 supply shed/ propagation/ Drying  
26'x40' Est. 2012 DPL 132'  
#2 Start room propagation/ cannabis storage area  
30'x32' Est. 2013 DPL 251'  
#3 Shed/storage of gardening supplies (tools and pots) 10'x16' Est. 1978 DPL 261'  
#4 Shop/ Drying  
24'x24' Est. 2010 DPL 126'  
#5 Temporary office trailer processing area  
8'x30' Est. 2011 DPL 204'  
#6 Temporary office trailer processing area  
8'x16' Est. 2011 DPL 202'  
#7 Portable toilet X2 (in use until the pre-existing onsite wastewater treatment system can be retroactively permitted or a new OWTS can be established) 44'x48' Est. 2016 DPL 198'  
#8 Cargo container for storage of small petroleum products & tools  
8'x16' Est. 2008 DPL 208'  
#9 Cargo container for storage of all plastic waste and Pesticide and chemical storage.  
8'x16' Est. 2016 DPL 246'

## Proposed improvements

-Solar Power: two panel arrays proposed east of cub# 9 & solar battery bank storage proposed east of CUB#8  
-Processing: CUB #5,6,&7 is planned to be replaced with a 30'x60' processing building with septic proposed east of current temporary building. Roof will be guttered and new rainwater catch source will be established when building is replaced.  
-Water tanks 11, 5000 gallon tanks proposed to be placed at WT#2 location or WT#3 location with existing tank farm.

## Water tank storage information

#1, Four, 5,000 gallon each est. 2007  
#2, One 3,000 gallon tank est. 2015  
#3, Eighteen 5,000 gallon each. Est. 2019-2020 (replacing Water bag est. 2015)  
#4, Fourteen 5000 gallon Est. 2020-2021 (replacing bladder est. 2015)  
#5, One 5000 gallon est. 2016  
#6, Nine 5000 gallon each est. 2017  
#7, One 5000 est. 2021  
Cannabis use Spring tank  
#8, Domestic only spring tanks  
Two 3000 gallon est. 1998 & 2008  
#9, One 5000 gallon est. 2018-2019  
Total hard tanks storage 238,000 Gallons for cannabis irrigation use and 6,000 gallons domestic use.

## Outdoor Information

#1: 25,180 sq. ft., DPL 133'  
#2: 816 sq. ft., DPL 294'  
#3: 1,230 sq. ft., DPL 271'  
#4: 890 sq. ft., DPL 274'  
#5: 1,370 sq. ft., DPL 255'  
#6: 620 sq. ft., DPL 301'

## Greenhouse Information

#1 Est. 2013 DPL 88' -1,800 sq. ft.  
#2 Est. 2005 DPL 100' -1,248 sq. ft.  
#3 Est. 2011 DPL 331' -1,248 sq. ft.  
#4 Est. 2008 DPL 282' -1,248 sq. ft.

## Cultivation Totals:

Total Outdoor 30,106 sq. ft.  
Total Mixed Light 5,544 sq. ft.  
Total Cultivation 35,650 sq. ft.

Notes:  
1. Owners Name: William Finley  
2. The nearest known residence is approximately 1,100 feet north of the decommissioned cultivation area  
3. There are no known sites of significance within 600 feet of any cultivation areas



## ArcGIS Web Map

Humboldt County Planning and Building Department

Received 10/17/2023 HCPBD



0 180 360 720 Feet  
0 0.0325 0.065 0.13 Miles  
RF= 1:4,514 1 in = 376 ft



Printed: December 21, 2020

Web AppBuilder 2.0 for ArcGIS

## Map Disclaimer:

While every effort has been made to assure the accuracy of this information, it should be understood that it does not have the force & effect of law, rule, or regulation. Should any difference or error occur, the law will take precedence.

Source: Humboldt County GIS, Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community