

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

Resolution Number: 26-023

Record Number: PLN-12788-SP

Assessor's Parcel Number: 220-251-029

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

WHEREAS, Plant Humboldt, LLC submitted an application for a Special Permit for 10,000 square feet of existing commercial cannabis nursery with a reduction in a Streamside Management Area setback; and

WHEREAS, Plant Humboldt, LLC also submitted an application for a zone reclassification of the subject property from Neighborhood Commercial (C-1) to Agriculture General (AG); and

WHEREAS, the lead agency, prepared an Addendum to the Final Environmental Impact Report (EIR) prepared for the Commercial Cannabis Land Use Ordinance adopted by the Humboldt County Board of Supervisors on May 8, 2018. The proposed project does not present substantial changes that would require major revisions to the previous EIR. No new information of substantial importance that was not known and could not be known at the time was presented as described by §15162(c) of CEQA Guidelines; and

WHEREAS, the Humboldt County Planning Commission held a duly-noticed public hearing on April 16, 2026, 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 Special Permit for a wholesale and retail commercial cannabis nursery of 10,000 square feet including self-distribution. Estimated annual water usage is no more than 160,000 gallons sourced by a rainwater catchment pond of approximately 250,000 gallons. Power is provided by PGE through an eligible renewable energy program. The Special Permit also proposes reducing the streamside management area setback based on the recommendation of a qualified biologist. The project also includes a Zone Reclassification from Neighborhood Commercial (C-1) to Agriculture General (AG).

EVIDENCE: a) Project File: PLN-12788-CUP

2. FINDING: **CEQA.** The project complies with the requirements of the California Environmental Quality Act. The Humboldt County Planning Commission has considered the Environmental Impact Report previously adopted for the Commercial Cannabis Land Use Ordinance as well as the Addendum to the Environmental Impact Report 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 Final Environmental Impact Report. No new information of substantial importance that was not known and could not be known at the time was presented as described by §15162(c) of CEQA Guidelines.
- c) The project is conditioned to demonstrate compliance with the State Water Board Cannabis General Order for Waste Discharge.
- d) A review of the California Natural Diversity Database indicates the presence of habitat for California Steelhead in Somerville Creek. No other species or sensitive communities of concern. The nearest mapped Northern Spotted Owl activity centers are (HUM0580) approximately 1.92 miles to the southwest and (HUM0531) approximately 1.96 miles to the northwest.
- e) A Biological Assessment was provided that supports a reduction in the streamside management area setback to approximately 20 feet from the top of the bank of the creek.
- f) A rainwater catchment analysis concluded that sufficient rainfall can be collected in low rainfall years to provide the estimated annual irrigation needs.
- g) Energy will be provided through an eligible renewable energy program.
- h) The continued operation of a commercial cannabis nursery will not result in timber conversion.

- i) Consultation with the Bear River THPO resulted in the standard inadvertent discovery protocol condition of approval.
- j) The rezone from C-1 to AG is consistent with the land use designation established by the 2017 Humboldt County General Plan.

FINDINGS FOR SPECIAL 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 Rural Community Center (RCC) land use designation. The proposed cannabis nursery, 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 proposed Agriculture General (AG) zone in which the site is located.

EVIDENCE:

- a) The Agriculture General (AG) zone is intended to be applied in areas in which agriculture is the desirable predominant use and rural residential uses are secondary
- b) General agriculture is a principally permitted use in the Agriculture General (AG) zone.
- c) Humboldt County Code section 314-55.4.6.5 allows 100% of the documented pre-existing cultivation area for applications received prior to December 31, 2019. The application was received prior to that date.

The application for 10,000 square feet of an existing outdoor commercial cannabis nursery is consistent with this provision.

- d) All structures meet appropriate zoning setbacks.
- e) A Biological Assessment has been provided by a qualified Biologist to support the reduction of the setback in accordance with section

61.1.7.6.3 of the Streamside Management Areas and Wetlands Ordinance. The California Department of Fish and Wildlife has reviewed the report and visited the site and supports a reduction to approximately 20 feet from the top of bank of the creek.

The staff recommended alignment of the streamside management area (Attachment 4F) resulted from a March 25, 2026, site visit and consultation with CDFW. Requiring 20 feet from the top of bank provides a minimal buffer strip for replanting and natural regeneration of native vegetation. As the reduction in the SMA would be permanent and allow for future uses to be constructed at the established setback, it is not appropriate to eliminate the setback entirely.

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

- EVIDENCE:**
- a) The CCLUO allows existing cannabis nurseries to be permitted in areas zoned Agricultural General (AG) (HCC 314-55.4.6.1.1).
 - b) The parcel was created in compliance with all applicable state and local subdivision regulations as the subject parcel has been determined to be one legal parcel as shown on Parcel Map recorded in Book 4 of Parcel Maps page 107.
 - c) The project will obtain water from rainwater catchment. A rainwater catchment analysis demonstrates sufficient irrigation water can be collected in a low rainfall year.
 - d) The access road is publicly maintained and can accommodate the expected traffic.
 - e) The slope of the land where existing cannabis will be cultivated is 0% to 15%. No new grading will occur.
 - f) The continued cultivation of cannabis will not result in the net conversion of timberland.
 - g) The location of the cultivation complies with all setbacks required in Section 314-55.4.6.4.4.1.3. 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. While the nursery is within 300 feet of some adjacent residences and 600 feet of a school bus stop setback

reductions have been granted by neighboring properties and the school district.

- h) Energy is provided by PGE through an eligible renewable energy program, no generator will be used.
- i) Prime soils are not affected by the project.

6. FINDING:

The continued operation of the existing cannabis nursery 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. The continued operation of the existing cannabis nursery 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. Setback waivers have been provided by neighbors and the school district.
- c) Irrigation water will come from a rainwater catchment which is an eligible water source.
- 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 South Fork Eel Planning Watershed, which under Resolution 18-43 is limited to 730 permits and 251 acres of cultivation. With the approval of this Special Permit, the total approved permits in this planning watershed would be 308 permits and the total approved acres would be approximately 94.42 acres of cultivation.

9. FINDING: The proposed rezone is in the public interest.

EVIDENCE: a) It is in the public interest to change the zoning to allow commercial cannabis nursery on a parcel that would otherwise support a non-cannabis nursery as a conditionally permitted use. The zoning change will facilitate the continued operation of an existing cannabis nursery with no impacts to county roads or other neighboring land uses because the use has been in existence for approximately 15 years. As shown on the aerial map attached to the staff report, the site is centrally located in the town of Briceland. The parcel was previously zoned AG and was changed to C-1 to facilitate the construction of a mini storage facility that was never constructed.

10. FINDING: The proposed rezone is consistent with the general plan.

EVIDENCE: a) No general plan amendment is being requested. The zone reclassification is consistent with the General Plan because:

- For the Rural Community Center (RCC) use type that applies, the nursery would be considered as General Agriculture. (Land Use Element Table 4-D, page 4-49).
- The AG zone is consistent with the RCC designation per the Zoning Consistency Matrix (Land Use Element Table 4-H, page 4-55).

DECISION

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

- Approve the Special Permit for Plant Humboldt, LLC subject to the conditions of approval attached hereto as Attachment 1A; and
- Recommends that the Board of Supervisors approve the rezoning of the property from Neighborhood Commercial (C-1) to Agriculture General (AG).

Adopted after review and consideration of all the evidence on **April 16, 2026**.

The motion was made by COMMISSIONER IVER SKAVDAL and second by COMMISSIONER SARAH WEST and the following vote:

AYES: COMMISSIONERS: Sarah West, Lorna McFarlane, Iver Skavdal, Peggy O'Neill, Todd
Fulton

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS: Jerome Qiriazzi, Noah Levy

ABSTAIN: COMMISSIONERS:

DECISION: Motion carries 5/0

I, John H. Ford, Secretary to the Planning Commission of the County of Humboldt, do hereby certify the foregoing to be a true and correct record of the action taken on the above-entitled matter by said Commission at a meeting held on the date noted above.



John H. Ford, Director
Planning and Building Department

**CONDITIONS OF APPROVAL
PLN-12788-SP**

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 **A10** through **A11**. All activities described in the agreement must be completed to the satisfaction of the Planning and Building Department before the permit may be finalized and no longer considered provisional.
2. Within 60 days of the effective date of project approval, the permittee shall execute and file with the Planning Division the statement titled, "Notice and Acknowledgment regarding Agricultural Activities in Humboldt County," ("Right to Farm" ordinance) as required by the HCC and available at the Planning and Building Department.
3. Within 60 days of the effective date of project approval, the permittee shall pay a conformance review deposit as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors. The permittee is responsible for costs for post-approval review for determining project conformance with conditions. Payment shall be made to the Humboldt County Planning Division, 3015 H Street, Eureka. Permit conformance with conditions must be demonstrated prior to release of building permit or initiation of use and at time of annual inspection.
4. Within 60 days of the effective date of project approval, the permittee shall install and maintain water meter(s) and monthly water usage logbooks to track water usage for cannabis irrigation. Records must be kept of monthly usage and made available during annual inspections. The permittee shall also provide a water distribution plan and diagram demonstrating how water will be distributed including placement location of distribution lines and water meter(s).
5. Within 60 days of the effective date of project approval, the permittee shall provide documentation demonstration compliance with State Water Board

General Order No. WQ 2019-0001-DWQ. This includes either providing a copy of the Notice of Applicability and Site Management Plan or documentation from the State Water Board that enrollment is not required.

6. Within 60 days of the effective date of project approval, the permittee shall provide a noise assessment that consists of at least three measurements at different property lines to establish ambient noise levels for purposes of the noise standards described in Condition of Approval C2.
7. Within 90 days of the effective date of project approval, the permittee shall provide an invasive species plan to the satisfaction of the Planning and Building Department and the California Department of Fish and Wildlife. This plan shall also include an American bullfrog management plan.
8. Within the time frames indicated, the permittee shall provide documentation to the satisfaction of the Planning and Building Department and the California Department of Fish and Wildlife demonstrating:
 - a. Within 90 days, all imported soil is full contained and managed consistent with best practices.
 - b. Within one year, recommendations one through five on page 17 of in the Biological Assessment (Attachment 4A) have been completed. Specifically
 - 1) "Clean up green waste and discontinue future dumping of vegetation (both associated with the nursery and residential use) within the SMA."
 - 2) "Secure fencing that is within or have the potential to fall into the SMA. Move fencing to the line of honey locusts ~3 meters south of the SMA."
 - i. The fencing at the entrance to the site is at the top of bank but cannot be relocated due to the driveway access. The fence should be relocated on the lower terrace a minimum of 20 feet from the active channel. Currently the fence is located at the active channel, with floods inundating the fence and causing debris racking on the fence.
 - 3) "Remove all bamboo that has fallen or is at risk of falling into the SMA."
 - i. All Bamboo located within the reduced SMA and in the channel are to be removed within one year.
 - ii. Within 90 days, a bamboo removal plan must be provided for review and approval by the Planning and Building Department in

consultation with CDFW. Permittee must secure amendment to their current LSAA, if required, before undertaking bamboo removal in the channel.

- 4) "Move fencing up from bank failure on north side of the pond."
 - i. The fence should be relocated on the lower terrace a minimum of 20 feet from the active channel.
 - 5) "Plant native trees and shrubs (i.e., CA bay, willow, alder, etc.) for bank stabilization."
 - i. Within 90 days, a native species planting plan must be provided for review and approval by the Planning and Building Department in consultation with CDFW. The plan must include success and monitoring criteria.
 - c. Within one year, a physical barrier demarking the location of the revised streamside management area has been constructed. A solid fence is not required. For example, T-posts with a single, durable strand such as wire is acceptable. The alignment of the barrier shall follow the staff recommendation provided in the staff report exhibit. In accordance with the streamside management area ordinance, all development, storage, structures, parking, etc., must be outside the streamside management area boundary.
9. Within 90 days of the effective date of project approval, the permittee shall provide an update to the Site Plan that provides the following:
 - a. Improve the accessibility and readability of the site plan by using no smaller than an 11-point font.
 - b. Show the revised streamside management area boundary consistent with the mapping recommended in the Biological Assessment.
 - c. Show location of water storage dedicated to fire suppression.
 10. The permittee shall obtain permits or exemptions for all structures associated with the cannabis operation.
 11. The permittee shall obtain after the fact grading permits for the pond. The permittee shall also provide documentation demonstrating that the spillway is properly designed to avoid or minimize impacts to adjacent surface waters.
 12. This permit will only be effective upon rezoning of the property from Neighborhood Commercial (C-1) to Agriculture General (AG).

B. General Conditions

1. The cultivation area is limited to the amounts and type as described in the staff report and site plan. Cultivation area is limited to the proportion of irrigation water available from approved sources. If available irrigation water is less than the annual water budget, then the amount of cultivation will be reduced accordingly. Domestic water or other water sources shall not be used. The point of diversion shall not be used for cannabis irrigation.
2. No new grading is authorized.
3. Portable toilets may be used to support cultivation operations (but not processing in the form of trimming or packaging). Records of the provision of portable toilets must be kept and made available upon request during annual inspections. The onsite septic system may not be used for the cannabis operations until its capacity and functionality has been evaluated by a qualified professional and reviewed and approved to the satisfaction of the Division of Environmental Health.
4. Per the Operations Plan, no generator use is authorized. Power provided by PGE shall be through an eligible renewable energy program. Records demonstrating eligible renewable energy sourcing shall be kept and made available upon request during annual inspections.
5. All storage, parking, and cannabis uses shall occur outside the revised streamside management area boundary.
6. The permittee shall maintain the access to the property consistent with the encroachment and visibility standards to the satisfaction of Public Works for the life of the project.
7. No timber conversion is authorized. If a Registered Professional Forester determines tree removal is needed to protect structures associated with the cannabis operation, then one of the following must occur:
 - a. Relocate the structure to avoid tree removal; OR
 - b. Remove the structure and convert to a compatible use (e.g. remove greenhouse and convert to full sun cultivation; OR

- c. Provide additional biological assessment conducted by a qualified professional demonstrating to the satisfaction of the Planning and Building Department and CDFW that the tree removal will not have a significant impact on habitat or species or sensitive communities nor will result in timber conversion.
8. A Notice of Determination (NOD) will be prepared and filed with the County Clerk for this project in accordance with the State CEQA Guidelines. The Department will file the NOD and the applicant is responsible for this cost to the project.
9. The applicant is responsible for obtaining all necessary County and State permits and licenses, and for meeting all requirements set forth by other regulatory agencies.
10. The applicant shall be compliant with the County of Humboldt's Certified Unified Program Agency (CUPA) requirements regarding hazardous materials. A written verification of compliance shall be required before any provisional permits may be finalized. Ongoing proof of compliance with this condition shall be required at each annual inspection to keep the permit valid.
11. The applicant is required to pay for permit processing on a time and material basis as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors. The Planning and Building Department will provide a bill to the applicant after the decision. All outstanding planning fees to cover the processing of the application to decision by the Hearing Officer shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka.
12. If monofilament netting is used, best management practices must be implemented to ensure no wildlife entrapment or release into the environment. See also Condition of Approval C5.
13. The burning of plant material associated with the cultivation and processing of commercial cannabis is prohibited.
14. The permittee shall follow the Bullfrog management plan for as long as the pond is in use.
15. The permittee shall follow the Invasive Species Management plan for the life of the project.

16. The cannabis nursery must cease operation if the Board of Supervisors does not approve the rezone from C-1 to AG.

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.

Additionally, noise at the property lines shall not exceed three decibels above the ambient levels established by the noise study required in Condition of Approval A6

3. All artificial lighting shall be fully contained within structures such that no light escapes (e.g., through blackout curtains). Structures shall be shielded between 30 minutes prior to sunset and 30 minutes after sunrise to prevent disruption to crepuscular wildlife. Security lighting shall be motion activated and comply with the International Dark-Sky Association standards and Fixture Seal of Approval

Program. Standards include but are not limited to the following, 1) light shall be shielded and downward facing, 2) shall consist of low-pressure sodium light or low spectrum light emitting diodes with a color temperature of 3000 kelvins or less and 3) only placed where needed.

4. Should the Humboldt County Planning Division receive complaints that lighting or noise is not complying with the standards listed above in this permit, within ten (10) working days of receiving written notification that a complaint has been filed, the applicant shall submit written verification that the light shielding and alignment, and noise levels have been repaired, inspected, and corrected as necessary.
5. The use of monofilament netting for erosion control shall be prohibited. Geotextiles, fiber rolls, and other erosion control measure materials shall be made of loose-weave mesh, such as jute, hemp, coconut (coir) fiber, or other products without welded weaves to minimize the risk of ensnaring and strangling wildlife.
6. All refuse shall be contained in wildlife proof containers, always, and relocated to an authorized waste management facility, in compliance with State and local laws, on a regular and on-going basis.
7. Should any wildlife be encountered during work activities, the wildlife shall not be disturbed and be allowed to leave the work site unharmed.
8. The use of anticoagulant rodenticide is prohibited.
9. The operator shall provide information to all employees about the potential health impacts of cannabis use on children. Information shall be provided by posting the brochures from the Department of Health and Human Services titled "Cannabis Palm Card" and "Cannabis Rack Card." This information shall also be provided to all employees as part of the employee orientation.
10. All components of the project shall be developed, operated, and maintained in conformance with the Project Description, the approved Site Plan, the Plan of Operations, the CCLUO, 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.
14. Applicant must adhere to and implement the Site Management Plan. A copy of the reporting form portion of the Mitigation and Reporting Program (MRP) shall be submitted to the Planning and Building Department upon request.
15. Applicant must demonstrate and maintain enrollment in Tier 1 or 2 in accordance with State Water Resources Control Board Order No. WQ 2019-0001-DWQ, or any substantially equivalent rule that may be subsequently adopted by the County of Humboldt or other responsible agency.
16. Comply with the terms of any applicable Lake and Stream Alteration (1600 or 1602) Agreement obtained from the California Department of Fish and Wildlife (CDFW).
17. Comply with the terms of a less-than-3-acre conversion exemption or timberland conversion permit, approved by the California Department of Forestry and Fire Protection (Cal Fire), if applicable.
18. Consent to an annual on-site compliance inspection, with at least 24 hours prior notice, to be conducted by appropriate County officials during regular business hours (Monday through Friday, 9:00 a.m. to 5:00 p.m., excluding holidays).
19. Refrain from the improper storage or use of any fuels, fertilizer, pesticide, fungicide, rodenticide, or herbicide.

20. Pay all applicable application, review for conformance with conditions and annual inspection fees.
21. Fuel shall be stored and handled in compliance with applicable state and local laws and regulations, including the County of Humboldt's Certified Unified Program Agency (CUPA) program, and in such a way that no spillage occurs.
22. The master logbooks maintained by the applicant to track production and sales shall be maintained for inspection by the County.
23. Pay all applicable taxes as required by the Humboldt County Commercial Marijuana Cultivation Tax Ordinance (Humboldt County Code Section 719-1 et seq.).

Performance Standards for Cultivation and Processing Operations

24. Pursuant to Business and Professions Code section 26051.5(a)(8), an applicant seeking a cultivation license shall "provide a statement declaring the applicant is an 'agricultural employer,' as defined in the Alatorre-Zenovich-Dunlap-Berman Agricultural Labor Relations Act of 1975 (Part 3.5 commencing with Section 1140) of Division 2 of the Labor Code), to the extent not prohibited by law."
25. Cultivators shall comply with all applicable federal, state, and local laws and regulations governing California Agricultural Employers, which may include federal and state wage and hour laws, Cal/OSHA, OSHA, the California Agricultural Labor Relations Act, and the Humboldt County Code (including the Building Code).
26. Cultivators engaged in processing shall comply with the following Processing Practices:
 - a. Processing operations must be maintained in a clean and sanitary condition including all work surfaces and equipment.
 - b. Processing operations must implement protocols which prevent processing contamination and mold and mildew growth on cannabis.
 - c. Employees handling cannabis in processing operations must have access to facemasks and gloves in good operable condition as applicable to their job function.
 - d. Employees must wash hands sufficiently when handling cannabis or use gloves.

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

- f. Plumbing and/or septic system and whether or not the system is capable of handling increased usage
- g. Drinking water for employees
- h. Plan to minimize impact from increased road use resulting from processing
- i. On-site housing, if any

29. Term of Commercial Cannabis Activity Permit. Any Commercial Cannabis Cultivation permit issued pursuant to the CMMLUO or CCLUO shall expire one (1) year after date of issuance, and on the anniversary date of such issuance each year thereafter, unless an annual compliance inspection has been conducted and the permittees and the permitted site have been found to comply with all conditions of approval.
30. Inspections. If the inspector or other County official determines that the permittees or site do not comply with the conditions of approval, the inspector shall serve the permit holder with a written statement identifying the items not in compliance, and the action that the permit holder may take to cure the noncompliance or file an appeal within ten (10) days of the date that the written statement is delivered to the permit holder. Personal delivery or mailing the written statement to the mailing address listed on the application by regular mail, plus three (3) days after date of mailing, shall constitute delivery. The permit holder may request a reinspection to determine whether or not the permit holder has cured all issues of noncompliance. Failure to request reinspection or to cure any items of noncompliance shall terminate the Permit, immediately upon the expiration of any appeal period, or final determination of the appeal if an appeal has been timely filed.

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

31. Permit Renewals to Comply with Updated Laws and Regulations. Permit renewal is subject to the laws and regulations effective at the time of renewal, which may be substantially different than the regulations currently in place and may require the submittal of additional information to ensure that new standards are met.
32. Acknowledgements to Remain in Full Force and Effect. Permittee acknowledges that the County reserves the right to reduce the size of the area allowed for

cultivation under any clearance or permit issued in accordance with this section in the event that environmental conditions, such as a sustained drought or low flows in the watershed in which the cultivation area is located, will not support diversions for irrigation.

33. Transfers. Transfer of any leases or permits approved by this project is subject to the review and approval of the Planning Director for conformance with the CCLUO or CMMLUO eligibility requirements and agreement to permit terms and acknowledgments. The fee for required permit transfer review shall accompany the request. The request shall include the following information:
- a. Identifying information for the new owner(s) and management as required in an initial permit application;
 - b. A written acknowledgment by the new owner in accordance as required for the initial permit application;
 - c. The specific date on which the transfer is to occur;
 - d. Acknowledgement of full responsibility for complying with the existing permit; and
 - e. Execution of an Affidavit of Non-diversion of Medical Cannabis.

Informational Notes:

1. None

Cannabis Application Checklist Plant Humboldt

Received 8/10/2022 HCP&B

APN: 220-251-029
Applicant/owner: Mikal Jakubal
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Redway CA 95560
510-334-8194
mikal@planthumboldt.com



Detailed Written Directions: Address is 6070 Briceland Thorn Road. Drive west on Briceland Thorn Rd till you get there.

Easements: see deed.

Structures:

* Dwelling: 40' x 46' including covered porch. 17' high at peak. Unpermitted. Started construction 1999, incomplete. Not used for cannabis.

* 3 Open-sided cold frames: 20' wide by 36', 40', 40'. 9' tall. Built 2016. Used for cannabis. Unpermitted.

* Sales office: 8' x 12'. 10' tall at peak. Nursery sales office. Unpermitted.

Water infrastructure:

All water and infrastructure is available for fire suppression. Mostly rainwater catchment. LSA for early season diversion if necessary.

Land use on adjacent parcels: residences, rural open spaces, illegal junkyard that has been there for 40 years, fire station.

Cultivation And Operations Plan

Description:

* Outdoor seasonal nursery; 0 ft/sq in off season to approximately 10,000 ft/sq at peak season. Season begins late February and ends approximately August 1st. Pots are filled with dirt. Seeds are planted in the dirt. Plants are watered and cared for until they reach salable size, then they're sold to retail customers and licensed cultivators. In early season, seedlings are kept in cold frames or temporary, seasonal hoop houses made of PVC and plastic covering.

* Outdoor R&D/seed production area area approximately 1500 ft/sq. Seasonal from approximately May 1 to October 1. Seedlings are planted in spring, evaluated in fall.

Schedule of activities

January: No plants on site.

February: Plant initial seeds toward end of month.

March: Plant seeds, water plants.

April: Plant seeds, water plants.

May: Water plants, sell plants; deliver plants if applicable; plant R&D plants.

June: Water plants, sell plants; deliver plants if applicable; maintain R&D plants.

July: Water plants, sell plants; deliver plants if applicable; maintain R&D plants.

August: Water and sell any remaining plants, close nursery for season; maintain R&D plants.

September: Maintain or harvest seeds or evaluate R&D plants as appropriate.

October: Finish any seed harvest or R&D evaluation.

November: No plants on site.

December: No plants on site.

No harvest; no generator. Plants in R&D are marked as “destroyed” in the track and trace system and composted on site.

Water Source

* Rainwater catchment pond approximately 230,000 gallons. Installed approximately 2006.

* 5000 gallon storage tank in nursery area, used as backup. Installed 2006.

* Pump and filtration system to pump water up to backup tank via underground PVC piping. Upgraded 2019.

* Six 5,000-gallon tanks fed by roof catchment provide domestic water to residence.

* Occasionally water is diverted from the creek in early season if winter rains didn't completely fill pond. This is water used only for fire suppression and dust control or orchard irrigation, not cannabis. LSA in place. Amounts vary between 0 gallons and approximately 30,000.

No water conservation measures are in place because none are needed.

Existing rainwater catchment capacity far exceeds cannabis use. There is no

known "agronomic rate" for an outdoor cannabis nursery.

Most watering is hand watering by hose.

No water budget exists because none is necessary. Rainwater storage vastly exceeds need, so no tracking other than gross annual use of approximately 150,000 gallons for the entire site (including all uses) is done. Rainwater caught in direct catchment is not limited or regulated by the state.

SWRCB compliance: fill out paperwork every year. Send them a check. No other compliance measures required.

Stormwater management plan: 27 years ago, when cleaning up the junkyard and dirt bike track that used to occupy the site, I began the process of redirecting water away from gullies, building swales (long before anyone else knew what the were) to slow runoff, increasing soil permeability and building topsoil. The swales collected silt and organic matter before reaching the creek. Permeability and topsoil building measure turned the compacted subsoil of the dirt bike track into rich garden and orchard topsoil. The runoff that flows onto the property from Old Briceland Road is filtered through a bamboo grove, mulched swale and flows over a flat, vegetated area before entering Redwood Creek *cleaner than when it flowed in off the road*. I have been doing far more on this site and know far more about it than the cubicle people in their cubicles could ever comprehend. No stormwater management plan is necessary because after almost three decades, stormwater manages itself.

Materials Management Plan

We use very little fertilizer, since plants are sold quickly. Fertilizers in the nursery are typically water soluble macronutrient types, used when plants need a quick boost after having exhausted the nutrients in their pots, though site made compost teas are more common. The R&D area is fertilized with compost and manure.

Our pesticide list only includes materials approved for cannabis which is a more restrictive list than for organic certification. The list changes every season and there is no way to predict which we will use in any given season or month, especially since new products are constantly coming to market. Cannabis requires relatively little pesticide use and what we use is preventative maintenance. We file a report on pesticide use with the Dept. of Agriculture each

season.

A short list of a few of the likely pesticides we might use in the 2022 season: bio-pesticides such as Grandevo, Mycostop, Venerate; homemade soap/oil mixes; sulfur dust on seedlings. Quantities are not ever predictable. Every season is different and the amount (if any) used will vary based on factors like weather, pests found (if any) during scouting and rate of sales (slow sales mean plants stay on site longer and may be more prone to pests).

See attached document: Pesticide and Fertilizer Use in the Nursery.

Waste disposal: organic materials are composted on site. Soil from male plants or other culled plants is re-amended, composted and reused. All non-organic materials are taken to the dump.

No hazardous materials are used or stored.

Septic system installed approx. 2013 for dwelling. See site plan. All nursery employees and customers use a rented portable toilet that is rented seasonally.

Soil management: See stormwater description above. All imported soil leaves the site in the form of potted plants. Soil from culled plants is composted and reused. No imported soil is used in the R&D area.

Parking Plan

There is ample parking on a nearly flat, packed gravel surface on the parcel for customers and employees. One spot is marked for handicapped, but the entire parking lot is accessible.

Energy Source

PGE.

Security Plan

We have cameras around and inside the sales office as required by the DCC for our retail license. The entire parcel is fenced. Our plants are heavy and difficult to steal, so we are a low-risk target. We have a bank account in town, so large amounts of cash are never stored on site. We have a detailed and evolving threat model, but this is proprietary.

Light Pollution Control Plan

We are an outdoor, sun-grown nursery, selling sun-grown plants. The R&D area is seasonal outdoor sun grown only.

Operations plan addendum
February 2025

Employees and Operating hours.

Peak employees in 2025 will likely be 3-4.

Operating hours for 2025 are likely to be 9-5, Tuesday-Sunday from approximately May 1st until July 20th.

This can and will change as we need it to change.

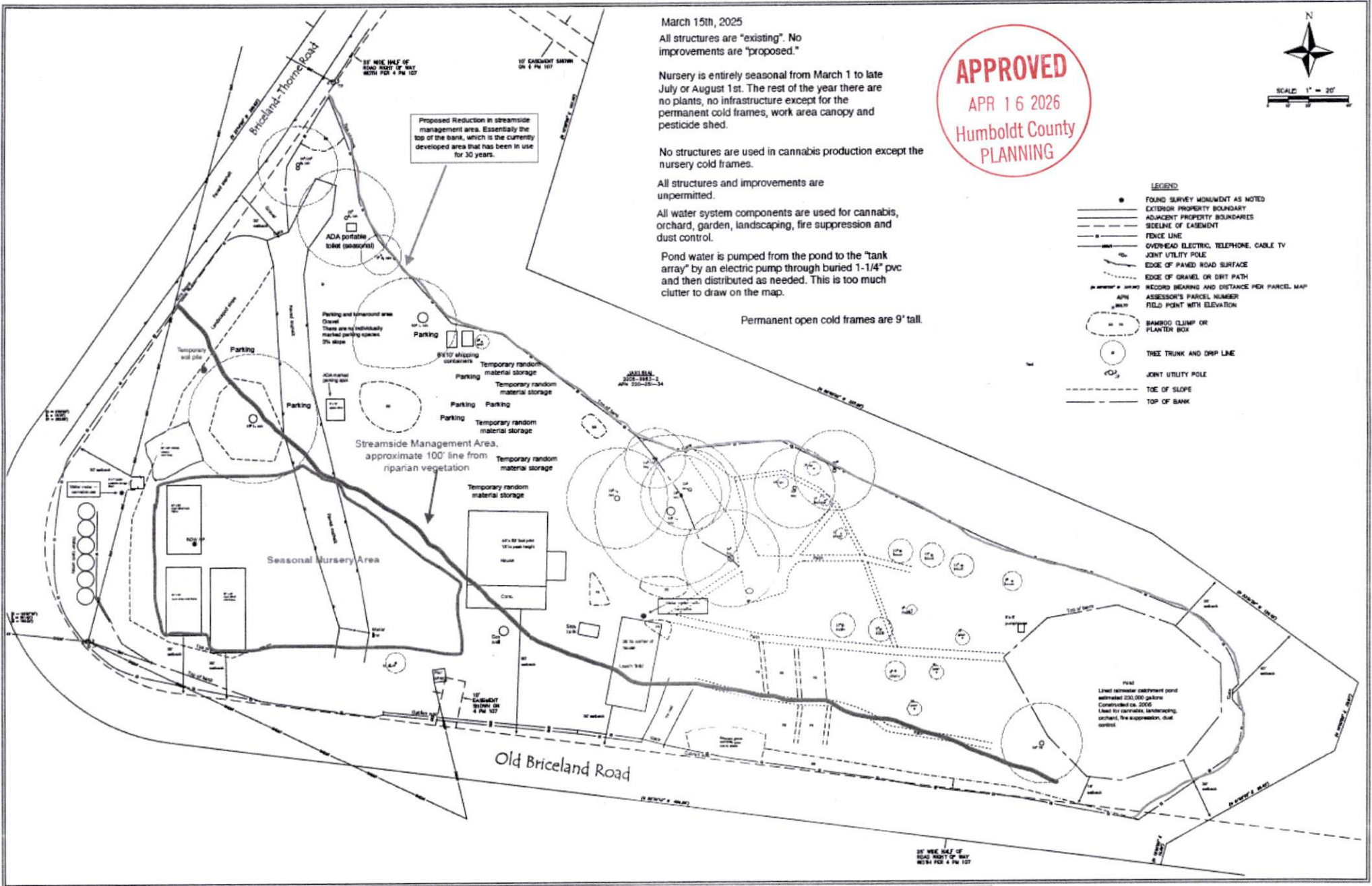
Parking

The entire parking area is flat and graveled or paved and has room for about 12 vehicles, depending on size. We only have a few employees and rarely more than 3-5 customers at once, usually more like 1-2 at a time. We also have an informal arrangement with Beginnings, Inc. to use their large lot across the street should the need arise. In a decade of operation, we've never had a parking problem.

Stormwater, Drainage and Runoff Management

The entire parcel is mostly flat except for 1/3 that is slightly sloped. All sloped areas are covered in grass, mowed weeds or mulched beds. There have been silt-catching and infiltration swales on the property for 30 years, designed to clean street-water runoff passing over the property. Many have worked so well that they are now somewhat filled in. Flat areas are paved (driveway) or covered with porous weed suppression fabric (nursery) or grass and mowed weeds.

There is no runoff from the nursery operation. There is no nutrient loaded water. There is no sediment from the nursery operation. During the winter when it rains enough to cause runoff, the nursery is closed, with no plants or activity on site. In contrast, the nearby Marshall Ranch is in operation with cattle grazing during the peak rainfall months and every major rainfall event turns Sommerville Creek and Redwood Creek into churning slurries of silt and cattle feces. Not to mention every culvert on every road in the County discharging unfiltered, silt, oil and tire-derived microplastics-laden water directly into the nearest waterway. Recent studies have shown that tire-derived microplastics are uniquely toxic to juvenile salmonids. Luckily, any water flowing off of or through the property is filtered by the ground cover before entering the creek, removing these toxic substances from the water before they make their way to the creek, even though they then mix with the sediments and nutrients and toxic wastes generated by vehicles and cattle grazing.



March 15th, 2025
 All structures are "existing". No improvements are "proposed."

Nursery is entirely seasonal from March 1 to late July or August 1st. The rest of the year there are no plants, no infrastructure except for the permanent cold frames, work area canopy and pesticide shed.

No structures are used in cannabis production except the nursery cold frames.

All structures and improvements are unpermitted.

All water system components are used for cannabis, orchard, garden, landscaping, fire suppression and dust control.

Pond water is pumped from the pond to the "tank array" by an electric pump through buried 1-1/4" pvc and then distributed as needed. This is too much clutter to draw on the map.

Permanent open cold frames are 9' tall.



- LEGEND**
- FOUND SURVEY MONUMENT AS NOTED
 - EXTERIOR PROPERTY BOUNDARY
 - ADJACENT PROPERTY BOUNDARIES
 - - - - - SIDELINE OF EASEMENT
 - FENCE LINE
 - OVERHEAD ELECTRIC, TELEPHONE, CABLE TV
 - JOINT UTILITY POLE
 - EDGE OF PAVED ROAD SURFACE
 - EDGE OF GRAVEL OR DIRT PATH
 - RECORD BEARING AND DISTANCE PER PARCEL MAP
 - APN 000000
 - APN 000000 ASSESSOR'S PARCEL NUMBER
 - FIELD POINT WITH ELEVATION
 - BAMBOO CLUMP OR PLANTER BOX
 - TREE TRUNK AND DRP LINE
 - JOINT UTILITY POLE
 - TOE OF SLOPE
 - TOP OF BANK

Proposed Reduction in streamside management area. Essentially the top of the bank, which is the currently developed area that has been in use for 30 years.

Parking and turnaround area
 Driveway
 These are not individually marked parking spaces.
 2% slope

Streams Management Area, approximate 100' line from riparian vegetation

Seasonal Nursery Area

Pond
 Pond increase catchment pond
 estimated 200,000 gallons
 Constructed ca. 2005
 Used for cannabis, landscaping, orchard, fire suppression, dust control.

Old Briceland Road

3/4" WIDE HALF OF ROAD NORTH OF WAY WITH PER 4 PA 127

ATTACHMENT 1D

Ordinance No. ____ Amending Section 311-7 of the Humboldt County Code by Rezoning Property in the Briceland Area.

Exhibit A: Map

Exhibit B: Legal Description



BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA
Certified copy of portion of proceedings, Meeting on March ____, 2026

ORDINANCE NO. _____

**AMENDING SECTION 311-7 OF THE COUNTY CODE
BY REZONING PROPERTY IN THE BRICELAND AREA
[PLN-12788-SP (Plant Humboldt, LLC)]**

The Board of Supervisors of the County of Humboldt ordains as follows:

SECTION 1. ZONE AMENDMENT. Section 311-7 of the Humboldt County Code is hereby amended by rezoning lands in the Briceland area from Neighborhood Commercial (C-1) to Agriculture General (AG) on one approximately 3.27-acre parcel, 220-251-029. The area described is also shown on the Humboldt County zoning maps for the Redway area and on the map attached as Exhibit A.

SECTION 2. EFFECTIVE DATE. This ordinance shall become effective thirty (30) days after the date of its passage.

PASSED, APPROVED, AND ADOPTED this _____ day of March ____, 2026 on the following vote, to wit:

AYES: Supervisors:

NOES: Supervisors:

ABSENT: Supervisors:

Chairperson of the Board of Supervisors of
the County of Humboldt, State of California

(SEAL)

ATTEST:
Tracy Damico
Clerk of the Board of Supervisors of the
County of Humboldt, State of California

Exhibit A: Map

