

PLANNING COMMISSION

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COUNTY STAFF

JOHN H. FORD
Director, Planning and Building

**PLANNING COMMISSION
COUNTY OF HUMBOLDT**

825 Fifth Street
Board of Supervisors Chambers
Eureka, California

ACTION SUMMARY

Thursday, April 21, 2022

6:00 PM

Regular Meeting - Hybrid

A. CALL TO ORDER / SALUTE TO FLAG

Chair Alan Bongio called the meeting to order at 6:00 p.m.

B. COMMISSIONERS PRESENT

Present : 5 - Commissioner Alan Bongio, Commissioner Brian Mitchell, Commissioner Mike L Newman, Commissioner Peggy O'Neill and Commissioner Thomas Mulder
Absent : 2 - Commissioner Noah Levy and Commissioner Melanie McCavour

C. AGENDA MODIFICATIONS

*Item G-2 Bloscksburg Family Farms PLN-12265-CUP is continued to the May 5, 2022 meeting
Item H-1 Nordic Aquafarms PLN-2020-16698 be moved up the agenda to be heard after items pulled from the agenda.*

D. PUBLIC COMMENTS

Public comment period opened and closed

E. CONSENT AGENDA

1. Nikolai Erickson; Conditional Use Permit
Record Number PLN-11219-CUP (filed 09/23/2016)
Assessor's Parcel Number (APN) 208-201-020
Dinsmore area

A Conditional Use Permit for 22,649 square feet of pre-existing outdoor cannabis cultivation, and 2,200 square feet of ancillary propagation. Water for irrigation is provided by rain catchment from rooftops of three existing structures on-site. The applicant anticipates using 100,000 gallons of water per year (4.02 gal/sq.ft./yr.), and the applicant utilizes several water conservation methods on-site. A total of 160,000 gallons of water storage exists on-site in thirty-six hard sided tanks. Processing at the site includes drying and curing, and trimming will occur off-site at a licensed processing facility. There will be 2 employees on site for cultivation activities. Power is provided by two portable generators and will transition to full renewable energy sources by 2026. The Humboldt County Planning Commission will consider an Addendum to a previously adopted MND and has been prepared for consideration per §15164 of the State CEQA Guidelines.

A motion was made by Commissioner O'Neill, seconded by Commissioner Newman, that the MDRV Realty Holdings, LLC: Conditional Use Permit and Special Permit be continued to the May 5, 2022 meeting. The motion carried by the following vote:

Aye: 4 - Commissioner Bongio, Commissioner Newman, Commissioner O'Neill and Commissioner Mulder

Nay: 1 - Commissioner Mitchell

- 2. MDRV Realty Holdings, LLC: Special Permit (2)
Record Number PLN-11214-SP (filed 9/22/2016)
Assessor's Parcel Number (APN) 208-241-006
Dinsmore/Mad River Area

A Special Permit for 2,000 square feet (sf) existing outdoor and 4,850 sf existing mixed-light cultivation with a 720 sf ancillary propagation area. Water for irrigation is provided by a stream diversion (POD 1 under Water Right Certificate H100730), and a Special Permit is being requested to approve the continued use and maintenance of the stream diversion. There is a total of 50,000 gallons of water stored on-site in hard sided tanks, and estimated annual water usage is 50,000 gallons. Drying and curing will occur on-site and trimming will occur off-site at a licensed processing facility. Power is sourced from an on-site generator, and future solar is proposed. An additional Special Permit is being requested to reduce the 600-foot setback to public lands (SRNF), to approximately 320 feet.

A motion was made by Commissioner O'Neill, seconded by Commissioner Newman, that the MDRV Realty Holdings, LLC, Special Permits be continued to the May 5, 2022 meeting. The motion carried by the following vote:

Aye: 4 - Commissioner Bongio, Commissioner Newman, Commissioner O'Neill and Commissioner Mulder

Nay: 1 - Commissioner Mitchell

- 3. Dustin Silva: Conditional Use Permit
Record Number PLN-13264-CUP (filed 12/30/2016)
Assessor Parcel Numbers (APNs) 216-142-006, 216-143-005, 216-143-010, 216-144-008 (one

legal parcel)
Garberville area

A Conditional Use Permit for for 11,950 square feet (SF) of existing cannabis cultivation consisting of entirely of outdoor cultivation, and a 1,200-SF ancillary nursery. Mixed-light cultivation, allowed under the applicants' interim permit, is no longer proposed by this project. Water for irrigation is sourced from an onsite 487,500-gallon rainwater and spring-fed catchment pond, and two points of diversion used to fill 93,500 gallons of tank and bladder storage. Estimated annual water usage is 140,000 gallons (11.7 gallons/SF/year). Processing will be performed offsite at a third-party permitted processing facility. Power is provided by a 10-kilowatt generator and the applicant intends to develop solar power infrastructure to operate artificial lights, drying building and irrigation pump systems, including that required for domestic needs, within 3 years of permit approval (i.e., April 7, 2025). A Special Permit is also requested for ongoing maintenance of permitted water diversions.

A motion was made by Commissioner O'Neill, seconded by Commissioner Newman, that the Dustin Silva, Conditional Use Permit be approved as recommended by staff. The motion carried by the following vote:

Aye: 4 - Commissioner Bongio, Commissioner Newman, Commissioner O'Neill and
Commissioner Mulder

Nay: 1 - Commissioner Mitchell

7. Reggae on the River 2022

Record Number PLN-17653-CUP (filed 02/28/2022)

Assessor's Parcel Number: 033-271-007 (Count Line Ranch) & 033-271-005 (French's Camp).

Cooks Valley area

A modification to an approved Special Event Use Permit (CUP-12-17 / SP-12-030) authorizing operation of the Reggae on the River Music Festival (ROTR) for a period of five (5) years (2018-2022). A three-day event featuring live music and on-site camping at the property known as "French's Camp", it is held annually during the first weekend of August. The event was not held in 2019, 2020, and 2021. The requested modification seeks permission to operate two (2) two-day events in lieu of the annual 3-day camping event. Both events are proposed to occur exclusively from the neighboring County Line Ranch property (formerly Dimmick). Events proposed for 2022 include the annual Summer Arts & Music Festival to be held on June 18th and 19th and the Harvest Hangout, to be held on October 1st and 2nd. Daily attendance at both events will not exceed 4,000 persons and on-site camping will be restricted to staff, vendors, volunteers, artists, and guests of the property owners (maximum 400 persons). Parking for a maximum of 2,000 vehicles is expected to be needed and is available on the property. All events will feature daily live music, starting around 10am and finishing by midnight. Portable toilets and hand wash stations will be provided for event attendees. Traffic control measures will be implemented along Highway 101 consistent with those used during similarly sized events at this location. Potable water for the ranch comes from a well located on the eastern side of the property which is stored in one (1) 50,000-gallon water storage tank. Stored water from this tank will be used to supply water for both proposed events, which are not expected to require more than 10,000 gallons total. A second Final Supplemental Environmental Impact Report

(FSEIR) was certified for the project on January 3, 2013 (SCH #2012082108) and Addendums to the second supplemental EIR were prepared in 2018 and 2019. A new Addendum to the FSEIR (SCH #2012082108) has been prepared in concert with the current modification request and is being presented for consideration by the Planning Commission.

A motion was made by Commissioner O'Neill, seconded by Commissioner Newman, that the recommendations be approved. The motion carried by the following vote:

Aye: 4 - Commissioner Bongio, Commissioner Newman, Commissioner O'Neill and
Commissioner Mulder

Nay: 1 - Commissioner Mitchell

F. ITEMS PULLED FROM CONSENT

4. Dustin Silva

Record Number PLN-13266-CUP (filed 12/30/2016)

Assessor's Parcel Number: 216-143-012.

Garberville area

A Conditional Use Permit for 15,840 sq ft of existing outdoor cultivation. Water for irrigation is sourced from three (3) spring and stream diversions, which are permitted under the applicant's permit for Right to Divert and Use Water (Cert H100408) issued by the SWRCB. Water storage consists of three (3) 50,000 gallon bladders, one (1) 10,000 gallon bladder, four (4) 3,000 water tanks, seven (7), 2,500 gallon water tanks, two (2) 1,550 gallon water tanks, two (2) 1,000 gallon water tanks, one (1) 550 gallon water tank & one (1) 300 gallon water tank for a total of 195,450 gallons of water storage. The applicant estimates the project will demand 182,000 gallons of water per year.

Generators provide power and are housed in a shed behind the existing 34'x40' residence and solar panels are proposed to be installed to offset generator use. Drying of harvested cannabis takes place in the garage under the existing residence and is transported off site for processing. The project will require a maximum of three employees, including the operator.

Public comment period opened and closed.

A motion was made by Commissioner O'Neill, seconded by Commissioner Mulder, that the Dustin Silva Conditional Use Permit be approved as recommended by staff. The motion carried by the following vote:

Aye: 4 - Commissioner Bongio, Commissioner Newman, Commissioner O'Neill and
Commissioner Mulder

Nay: 1 - Commissioner Mitchell

5. Boden Wood

Record Number PLN-2018-15218 (filed 12/21/2018)

Assessor's Parcel Number: 222-071-023

Garberville area

A Special Permit to allow for 43,000 square feet of outdoor cannabis cultivation whereas 21,740 square feet is existing outdoor cannabis cultivation, and 21,260 square feet is new outdoor cannabis cultivation. The applicant anticipates 2 harvest cycles annually. Cultivation will occur under greenhouses and full sun outdoor. Water for the project will be sourced from a 538,560-gallon rainwater catchment pond. Water storage for the project totals 662,400 gallons. The applicant anticipates 385,000 gallons of water will be required annually for irrigation for two cultivation cycles. Processing such as drying and curing will take place in a 700-square-foot processing building. The applicant proposes to trim and process cannabis on site in a proposed 1,800 square foot processing facility constructed to commercial standards. The applicant anticipates hiring a maximum of 6 employees to assist with operations. Power for the project will be provided by solar with a backup generator. The applicant is also applying for a special permit to allow pre-existing cultivation in cultivation areas between 15% and 30% slope.

Public comment period opened and closed.

A motion was made by Commissioner O'Neill, seconded by Commissioner Mitchell, that the Boden Wood, Special Permit be continued to a date uncertain. The motion carried by the following vote:

Aye: 5 - Commissioner Bongio, Commissioner Mitchell, Commissioner Newman,
Commissioner O'Neill and Commissioner Mulder

6. Hatchery Road Solar CUP Extension.
Record Number PLN-2022-17636 (filed 02/18/2022);
Assessor's Parcel Number: 313-091-019.
Blue Lake area.

Two-Year extension of an approved Conditional Use Permit for the Hatchery Road Solar Project (PLN-2020-16320), a small-scale commercial energy generating facility that would be located on ±26.56 acres of two (2) adjoining parcels (APNs 313-091-019 & -020) that together total ±38 acres of undeveloped land. The Project would generate approximately four (4) megawatts (MW) of alternating current (AC) emission free, clean, renewable power. The Project would interconnect to PG&E's pre-existing electrical distribution system located along Hatchery Road. Power generated by this facility would be sold to the Redwood Coast Energy Authority (RCEA) through a long-term Power Purchase Agreement (PPA). The Project would utilize 14,336 modules and 32 string inverters which convert the sun's energy into usable AC power. Single axis tracking technology would be utilized to allow the modules to efficiently track the sun throughout the day and maximize the efficiency of solar collection. The modules would be mounted on a steel racking system, which would be anchored into the ground using driven steel piers. The overall height of the array would be no more than 8-feet tall as measured from existing grade. An MND was certified by the Humboldt County Planning Commission on April 1, 2021.

Public comment period opened and closed.

A motion was made by Commissioner Newman that the Hatchery Road Solar Conditional Use Permit Extension be approved as modified to not allow for any additional extensions. The motion failed for a lack of a second.

A motion was made by Commissioner Mitchell, seconded by Commissioner Mulder, that the Hatchery Road Solar Conditional Use Permit Extension be approved as recommended by staff.

The motion carried by the following vote:

Aye: 3 - Commissioner Bongio, Commissioner Mitchell and Commissioner Mulder

Nay: 2 - Commissioner Newman and Commissioner O'Neill

H. INFORMATIONAL WORKSHOP

1. Nordic Aquafarms California, LLC; Coastal Development Permit and Special Permit
Record Number PLN-2020-16698 (filed 10-05-20)
Assessor's Parcel Number (APN): 401-112-021
Samoa area

The applicant (Nordic Aquafarms California, LLC. (NAFC)) is requesting a Coastal Development Permit and Special Permit for the demolition and remediation of the Freshwater Tissue Samoa Pulp Mill facility and the construction of a land-based finfish recirculating aquaculture system (RAS) facility. This includes the development of five buildings totaling approximately 766,530 square feet and the installation of 4.8 megawatt (MW) solar panel array mounted on building rooftops, covering approximately 690,000 square feet. A Special Permit is required pursuant to Section 313-109.1.5.2 for an exception to the loading space requirements. The height of the tallest proposed building is 60 feet. The facility would have an annual production capacity of approximately 25,000-27,000 metric tons of Head on Gutted (HOG) fish once complete. The aquaculture facility would produce fresh head on gutted fish and fillets for delivery to regional markets. The species to be produced at the facility is intended to be Atlantic Salmon, pending approval from CDFW. The project will include ancillary support features such as paved parking, fire access roads, security fencing, and stormwater management features. The project would require approximately 2.5 million gallons per day (MGD) of freshwater and industrial water provided by the Humboldt Bay Municipal Water District, sourced from the Mad River. Existing on-site water service supplied by the Humboldt Bay Municipal Water District would be connected to the new buildings for potable use, fire sprinklers, and irrigation. The project would require approximately 10 MGD of salt water, which will be provided via existing sea chest infrastructure located adjacent to the NAFC Project Site, which will be modernized and operated by the Humboldt Bay Harbor, Recreation, and Conservation District. Treated wastewater would be discharged utilizing the existing Redwood Marine Terminal II ocean outfall pipe, which extends one and a half miles offshore. A total volume of 12.5 MGD is anticipated to be released daily. Wastewater discharge is permitted by the North Coast Regional Water Quality Control Board.

A motion was made, seconded by Commissioner O'Neill, that the Nordic Aquafarms California, LLC, Coastal Development Permit and Special Permit be continued to the May 19, 2022 meeting.
The motion carried by the following vote:

Aye: 5 - Commissioner Bongio, Commissioner Mitchell, Commissioner Newman,
Commissioner O'Neill and Commissioner Mulder

I. OTHER BUSINESS

8. PROPOSED COMMUNICATIONS FACILITIES ORDINANCE:

Case Number PLN-2021-17452
Humboldt County

The proposed ordinance affects all unincorporated areas of Humboldt County. The purpose and intent of this Telecommunications Ordinance is to provide a uniform and comprehensive set of standards for the development, siting and installation of wireless telecommunications facilities. These standards do all the following: protect and promote the public health, safety and welfare of the residents of the unincorporated areas of Humboldt County; protect aesthetic values in accordance with the guidelines and intent of the Telecommunications Act of 1996; encourage siting in preferred locations to help preserve the County's rural character, including the protection of scenic, natural and cultural resources; and minimize the intrusion of these uses into residential areas. The proposed ordinance uses a tiered approach to permitting communication facilities: the lowest tier ("Tier 1") applies a streamlined permit process to easily allow telecommunication facilities least likely to have any impacts. Conversely, the highest tier ("Tier 3") requires a public review process through conditional use permits for projects most likely to have impacts. Since this is a public workshop, no action will be taken by the Planning Commission. Instead, the Planning Commission will be asked to take public comment and provide informal feedback that will be used to develop a public hearing draft for review by the Planning Commission at a later date.

A motion was made by Commissioner Mulder, seconded by Commissioner Mitchell, that the Proposed Communications Facilities Ordinance be recommended the Board of Supervisors approve the ordinance along with the recommendation that setbacks be supplied. The motion carried by the following vote:

Aye: 4 - Commissioner Bongio, Commissioner Mitchell, Commissioner Newman and
Commissioner Mulder

Nay: 1 - Commissioner O'Neill

G. PUBLIC HEARINGS

1. Nava Ranch, LLC: Special Permit
Record Number PLN-2021-17162 (filed 4/15/2021)
Assessor's Parcel Number (APN) 107-106-006
Honeydew area

A Special Permit for the expansion of an approved cultivation site (PLN-12657-SP). The project will consist of 43,560 square feet (SF) of mixed light cultivation in twelve (12) greenhouses and 2,500 SF of indoor cultivation in a converted barn. The original project consisted of 6,600 square feet of mixed light cultivation, 2,700 square feet of outdoor cultivation, and 2,500 square feet of indoor cultivation. The outdoor cultivation will be converted to mixed light and the total mixed light cultivation area will be expanded to one acre. This represents a total increase of 34,260 SF of cultivation area. The applicant hopes to achieve up to three (3) harvests annually. All water will be sourced by rainwater catchment from an existing pond, a proposed pond, and an existing rooftop rainwater catchment system. The estimated water needed annually for irrigation is approximately 550,000 gallons (11.94 gal./sq.ft./yr). Please note that this estimate may change to be more accurate prior to the hearing. The ponds will

total approximately 1,050,000 gallons of storage, and twelve (12) 5,000 gallon tanks are proposed, for a total of 1,110,000 gallons of water storage. There is also one separate 5,000 gallon tank designated for fire suppression. Drying, trimming, and processing will occur onsite in the existing 900 SF storing, processing, and packaging building. Operations will utilize one (1) full-time employee, up to three (3) additional seasonal employees, and up to four (4) family members, totaling eight (8) laborers. There is a portable restroom facility on site for employees, and a cannabis support building is proposed with an additional septic system. Power is sourced from PG&E via a green energy program and there is an existing solar array onsite featuring six (6) panels with outputs of 235 watts each. There is a 25 kilowatt (kW) Whisperwatt generator kept onsite for emergency use only. This project is within 600 feet of Kings Range National Conservation Area, but the parcel has already been issued a setback reduction for cultivation and the setback would not require further reduction.

Public comment period opened and closed

A motion was made by Commissioner Newman, seconded by Commissioner O'Neill, that the Nava Ranch, Inc, Special Permit be continued to the May 5, 2022 meeting. The motion carried by the following vote:

Aye: 5 - Commissioner Bongio, Commissioner Mitchell, Commissioner Newman, Commissioner O'Neill and Commissioner Mulder

- 2. Blocksburg Family Farm, LLC: Conditional Use Permit
Record Number: PLN-12265-CUP (filed 12/22/2016)
Assessor's Parcel Number (APN): 217-471-001
Blocksburg area

A Conditional Use Permit for 6.39 acres of outdoor cultivation including 16,800 sf of existing cannabis authorized under interim permit, on a parcel of approximately 1,221 acres. The proposed six acres of new will comprise of three acres full term outdoor and three acres of Light Deprivation, and with ancillary facilities, will be developed in four phases over four years. Water would be provided by an onsite well, a 2.2-million-gallon rain catchment pond, and a one-million-gallon rainwater catchment tank. Total irrigation demand by Phase IV is anticipated to be approximately 3.1 million gallons per year, with the rain catchment pond being the primary source of water by Phases II and III. The project includes 8,000 sf of proposed and 2,000 sf of existing ancillary nursery space. Processing would occur onsite in a proposed 7,200 sf multi-use building in the footprint of a burned down barn. Power is proposed to be provided principally by a generator for Phase I and Phase II (staff is recommending a condition of approval for renewable energy to be established before any new expansion of cultivation). By Phase III, a solar array would provide the power, with generators retained for backup use only. Phase I of the project would require approximately six employees. Phases II & III would require a maximum of twenty-five employees and incorporates a vanpool.

Public comment period opened and closed

A motion was made by Commissioner Mulder, seconded by Commissioner O'Neill, that the Blocksburg Family Farms, LLC, Conditional Use Permit and Special Permit be continued to the May 5, 2022 meeting. The motion carried by the following vote:

Aye: 5 - Commissioner Bongio, Commissioner Mitchell, Commissioner Newman, Commissioner O'Neill and Commissioner Mulder

J. ADJOURNMENT

Chair Alan Bongio adjourned the meeting at 9:44 p.m.

K. NEXT MEETINGS May 5, 2022 6:00pm Virtual - Hybrid

The County of Humboldt is committed to providing equal access to all county programs, services and activities through the provision of accommodations for individuals with disabilities as required under the Americans with Disabilities Act (ADA). With 72 hours prior notice, a request for reasonable accommodation or modification can be made. Please contact the Planning Commission Clerk at 707-445-7541 or by email planningclerk@co.humboldt.ca.us or the ADA Coordinator at 844-365-0352 or by email at ada@co.humboldt.ca.us