

**RESOLUTION OF THE ZONING ADMINISTRATOR  
OF THE COUNTY OF HUMBOLDT**

**Resolution Number 24-030**

**Record Number PLN-12651-SP**

**Assessor's Parcel Number: 211-372-006**

**Resolution by the Zoning Administrator of the County of Humboldt certifying compliance with the California Environmental Quality Act and conditionally approving the Mayers Flat Farm, LLC, Special Permit.**

**WHEREAS, Mayers Flat Farm, LLC**, submitted an application and evidence in support of approving a Special Permit for the expansion of an existing 8,750-square-foot (SF) light-deprivation outdoor cannabis operation to a total buildout of 22,000 SF (with 2,200 SF of appurtenant nursery propagation and drying activities, as well as a Special Permit to allow for a rainwater catchment pond to be located within a Streamside Management Area; and

**WHEREAS**, the County as lead agency, prepared an Addendum to the Environmental Impact Report (EIR) prepared for the Commercial Cannabis Land Use Ordinance (CCLUO) 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 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 the California Environmental Quality Act (CEQA) Guidelines; and

**WHEREAS**, the Humboldt County Zoning Administrator held a public hearing on July 18, 2024 and discussed the application for the Special Permits and reviewed and considered all evidence and testimony presented at the hearing.

**Now, THEREFORE BE IT RESOLVED**, that the Zoning Administrator makes all the following findings:

- 1. FINDING:**      **Project Description:** The application is a Special Permit to expand an existing 8,750-square-foot (SF) outdoor cannabis cultivation operation to 22,000 SF of outdoor cultivation. Ancillary propagation would occur in a proposed 2,200-SF greenhouse. Water is sourced from a 350,000-gallon onsite rainwater catchment pond and rainwater collection from greenhouse roofs. A permitted groundwater well would be utilized for backup purposes. Water usage is estimated to require 289,000 gallons for irrigation, per growing season, at full buildout (13.13 gallons per SF). Drying of cannabis would continue onsite in an existing outbuilding using dehumidifiers

and fans. Offsite processing in a licensed facility is proposed. Up to three independent contract employees are anticipated during peak operations. Power is provided by a 25-kilowatt (kW) (and backup 45-kilowatt) diesel generator as the applicant finalizes plans to install a solar array; no expansion is allowed until the project obtains 100 percent of its power needs through alternative energy. A Special Permit is also required for the buffer reduction of the storage pond located within delineated wetland buffers.

**EVIDENCE:** a) Project File: PLN-12651-SP

**2. FINDING:** **CEQA.** CEQA requirements have been complied with. The Humboldt County Zoning Administrator has considered the Addendum to and the EIR prepared for the CCLUO adopted by the Humboldt County Board of Supervisors on May 8, 2018.

**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 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.
- c) A Site Management Plan (SMP) was prepared by Timberland Resource Consultants in February 2020 in accordance with the State Water Resources Control Board (SWRCB) Cannabis Cultivation Policy (Order WQ 2019-0001-DWQ) as a Tier 1, Low Risk project; the plan was revised by ETA Humboldt to show a third historic cultivation area to be partially used for the proposed expansion. Abiding by the recommended best practicable treatment and control measures in the SMP and any subsequent SWRCB requirements are ongoing conditions of approval.
- d) An Energy Generation and Consumption Plan details that there is currently a small amount (460 watts) of supplemental lighting in the propagation greenhouse in use 5 months of the year (February through June). Propagation greenhouse lighting, water and air pumps, atomizer (for foliage feeding and pest/disease), fans, power tools, surge protectors, dehumidifiers, and all electrical supplies and equipment, as well as all domestic power in the residence, is currently sourced from one 25-kW diesel



generator and an additional 45-kW generator used for emergency back-up purposes. The applicant is proposing to add a photovoltaic solar system with 16 25-watt photovoltaic panels and 16 deep-cycle batteries to completely phase out generator use as a primary power supply; no cultivation expansion is allowed until the applicant can demonstrate that 100 percent of energy demand for all the proposed new cultivation will be met using alternative energy sources. In the interim, 80 percent of the existing cultivation must be met by renewable sources within 2 years as a condition of approval.

- e) A Prime Agricultural Soil Assessment of the grassland meadow was prepared by Dirty Business Soil in May 2018 that mapped 1 acre of prime agricultural soil across four different locations, including a portion of the existing cultivation area. In accordance with CCLUO Section 55.4.6.4.3, the cumulative area of any Cannabis Cultivation Site located in the four areas identified as having Prime Agricultural Soil does not exceed 20 percent of the area of total Prime Agricultural Soil on the parcel. Specifically, only a portion of the existing cultivation area is located within prime soils. The remaining prime soils on the property are avoided by the proposed expansion.
- f) The source of irrigation water for this project is rainwater stored in an approximately 350,000-gallon capacity pond onsite, as well as through rainwater collection from greenhouse rooftops diverted into hard tank storage. The pond is detailed in a Grading, Drainage, and Erosion Control Plan prepared by Omsberg & Preston (engineers) in October 2018. A permitted groundwater well would be utilized for backup purposes. An analysis of the well completion report and topographic and geographic information indicates that the well is unlikely to be hydraulically connected to adjacent surface waters.
- g) Approval from the California Department of Fish and Wildlife (CDFW) was obtained by the applicant through an Operation of Law letter. The approval allows for installation of a minimum 18-inch culvert in Crossing #1 and on the road blocking drainage of a wetland and the associated measures designed to protect fish, wildlife, and plant resources. The two retired water bladders in or adjacent to delineated wetlands below the pond are to be removed as a condition of approval upon recommendation following a site visit by the North Coast Regional Water Quality Control Board (RWQCB) and CDFW in January 2019 and by a

follow-up visit by the North Coast RWQCB in March 2019 and as described in the SMP referenced above (2.c).

- h) A Biological Assessment was prepared for the project following a single January 2020 field visit by a wildlife biologist with O'Brien Biological Consultants in accordance with **CCLUO Mitigation Measure 3.4-1a**. No trees are proposed to be removed by the project. The nearest northern spotted owl (NSO) activity center is located approximately 0.48 miles east of the nearest cultivation area, with critical habitat located approximately 4.1 miles from the site. Lands south of the cultivation site and surrounding the parcel are heavily forested with appropriately aged coniferous forest; thus, there is high potential for NSO to occur on or near the property. The nearest mapped critical habitat for marbled murrelets is approximately 1.7 miles to the west, and there is likely no potential nesting habitat located on the parcel's assessment area. The Biological Assessment concluded that there is a potential significant impact to NSO nesting habitat from the cannabis cultivation and recommended surveys be conducted to determine potential presence on the property prior to site expansion. A Northern Spotted Owl assessment report was prepared by Troy Leopardo, a qualified NSO biologist which determined that no NSO habitat would be removed or affected as a result of the proposed project. The assessment includes the results of a limited survey of the area surrounding the project site that occurred in April of 2022 and found no presence of NSO and no evidence of presence within 0.25 miles. The assessment further concluded that there is no likelihood of adverse impacts to NSO as a result of the proposed project, particularly if the noise attenuation measures of the CCLUO are adhered to. Recommendations for the protection of biological resources are included in the conditions of approval, which include, but are not limited to, housing generators inside insulated enclosures to muffle noise and adhere to noise thresholds of the CCLUO ( $\leq 50$  decibels of maximum noise exposure at 100 feet from noise source or to the edge of potential habitat), conducting nesting bird surveys prior to vegetation removal or habitat alteration planned within the nesting season, and implementing invasive plant species controls. Furthermore, the project is conditioned to ensure refuse is contained in wildlife proof storage and refrain from using anticoagulant rodenticides to further protect wildlife.



- i) A protocol-level vegetation survey report and a wetland delineation report were prepared by Kyle Wear, a botanical consultant, in October 2019 and 2021, respectively, in accordance with **CCLUO Mitigation Measures 3.4-3a, -3b, -4, and -5**. Although member species of documented Sensitive Natural Communities were identified (e.g., California oatgrass [*Danthonia californica*] and blue wildrye [*Elymus glaucus*]), their abundance was below membership rules. All plants were identified to the taxonomic level necessary to determine whether they are special status. These studies concluded the parcel contains coniferous forest, grasslands, and seasonal wetlands and that most of the proposed cultivation is on existing cultivation footprints or in previously graded areas. The additional grading necessary for the cultivation expansion was estimated to impact approximately 17,630 SF (0.40 acre) of grassland not considered a Sensitive Natural Community. Wetlands and wetland setbacks are shown on the revised 2021 Site Plan.
- j) A Cultural Resources Investigation Report was carried out by Arsenault & Associates in 2018 and 2020. Per the report, an outreach email was sent to the Bear River Band of the Rohnerville Rancheria and “no relevant or important response to the outreach was received.” The report concluded that the proposed project will not result in any adverse changes to historical or archaeological resources, recommended Inadvertent Discoveries Protocol, and noted that if engineering plans change or additional ground-disturbing activities were necessary, Mark Arsenault should be contacted for further information. Subsequently, he was contacted to perform a secondary survey of the expanded project area to the north to provide cultural resources clearance for an additional impact area associated with the proposed 3,900-SF propagation greenhouse. The secondary survey was completed on November 26, 2020 and did not identify any cultural resources within the additional impact area or 600-foot buffer. Additionally, the report concluded that the character of the secondary study area was consistent with that described in the original report. Ongoing conditions of approval are incorporated regarding the Inadvertent Discoveries Protocol to protect cultural resources.
- k) Access to the site is via a private roadway off of Dyerville Loop Road, a County maintained road. A self-certified Road Evaluation Report (Form A) for the 1.0-mile access route was prepared by Antonio Petrushevski, and a photo-documented

report was prepared by ETA Humboldt in January 2021. The report indicates the roadway can accommodate increased traffic given the 17 documented turnouts, the rocked surface, and the 16-to20-foot road widths. In addition to the self-certified RER and the photo-documented report by ETA, a Road Evaluation Report prepared for an adjacent cannabis operation that utilizes the same roadway (PLN-12601-CUP) was prepared by a licensed engineer, which found that the private roadway is functionally equivalent to a Road Category 4. Recommended conditions of approval from Public Works' referral response have been incorporated into the conditions of approval.

### **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 an allowable use type permitted in the Timberland (T) land use designation. The proposed cannabis cultivation, an agricultural product, is within open grassland areas surrounded by forest planned and zoned for general agricultural purposes and processing of agricultural products, consistent with the use of Open Space land for managed production of resources. The use of timberland 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.

b) The proposed project is consistent Conservation and Open Space Element Biological Resources as evidenced by compliance with the following policies and standards:

I.) Streamside Management Areas (SMAs) and Wetland Identification (BR-P5, P6, P7): *There are several mapped SMAs around ephemeral streams draining to the South of the parcel and around a delineated wetland. All development associated with the project is located outside of SMA and required setbacks apart from an existing rain catchment pond located within the SMA of the delineated wetland. A Special Permit is required for this setback reduction and abiding by the erosion prevention and water quality protection*



*recommendations in the project's SMP are made a condition of approval. The pond is as close as 10 feet to a small ephemeral wetland and 25 feet from a second small wetland. The remaining development is a minimum of 50 feet from all wetland areas and in most cases over 100 feet or more. The construction of the pond has allowed for the applicant to remove the reliance on a stream diversion for irrigation purposes and is therefore a benefit to the overall Streamside Management Areas associated with the property. Biological and botanical resource surveys have been submitted which demonstrate that the project will likely have no adverse impact on Streamside management and Wetland areas.*

- II.) Biological Resource Maps (BR-P11): *Northern Spotted Owl have been observed historically within one mile, with the closest NSO activity center being approximately 0.48 miles east of the nearest cultivation area, with Critical Habitat located approximately 4.1 miles from the site. Lands south of the cultivation site and surrounding the parcel are heavily forested with appropriately aged coniferous forest, thus there is high potential for northern spotted owl to occur on or near the property. The nearest mapped critical habitat for Marbled Murrelets is approximately 1.7-miles to the west and there is likely no potential nesting habitat located on the parcel's assessment area. The Biological Assessment concluded that there is a potential noise or light impact on spotted owl nesting habitat from the cannabis cultivation operations and recommended surveys be conducted to determine potential presence on the property beginning in 2020. Thus, the applicant obtained a Northern Spotted Owl (NSO) assessment from a qualified NSO expert that identified no presence within 0.25 miles and further documented that the proposed project would have no adverse impacts on NSO provided that noise and light attenuation measures are adhered to. The proposed project is for outdoor only, with limited light utilized for propagation activities, and power is conditioned to be from renewable energy. Additionally, generators that may be utilized for emergency purposes only will*

*be required to be housed in noise containment structures to ensure noise does not exceed decibel thresholds set by the USFWS, CDFW and Humboldt County.*

- c) The goals and policies of the Conservation and Open Space Cultural Resources have been complied with based on the referral of the project to the Northwest Information Center (NWIC), the Bear River Band of Rohnerville Rancheria, the Blue Lake Rancheria, and the Wiyot Tribe. An archeological survey of the subject parcels was made in May 2018 and an Addendum prepared in December 2020, by Mark Arsenault, MA, RPA. The report concluded that the proposed project will not result in any adverse changes to historical or archaeological resources, recommended Inadvertent Discoveries Protocol. The Tribal Historic Preservation Officers (THPO's) have reviewed the reports and concurred with the findings and recommendations.
- d) The project is consistent with the Conservation and Open Space Scenic Resources policies as the only applicable policy is related to restricting light and glare. The project will comply with the CMMLUO and CCLUO which require all-night lighting be completely shielded in compliance with International Dark Sky Standards.
- e) The project is consistent with the Water Resources Element through compliance with the following goals and policies:
  - I. *Sustainable Management (WR-P1). The project does not utilize diversion from a surface water source, as water will come from rainwater stored in an approximately 350,000-gallon capacity pond onsite. Excess rainfall collection will be diverted to hard tank storage.*
  - II. *Project Design (WR-P12). The project will not detract from the function of rivers, streams, ponds, wetlands or their setback areas based on the evidence provided and the required measures in the SMP and LSAA. The project includes the rainwater catchment pond which enables the decommissioning of a surface water diversion which thereby enhances the function of streams on and off the property.*
  - III. *Rain Catchment Systems (WR-P20). Rainwater catchment is the major component of the project,*



*providing approximately 350,000 gallons of the 289,000 gallons of estimated annual water use.*

- 4. FINDING:** The proposed development is consistent with the purposes of the existing Agriculture Exclusive (AE-Zone) in which the site development is located. The forested area of the parcel is zoned Timber Production Zone (TPZ) which allows accessory agricultural uses and structures as principal permitted uses.

- EVIDENCE:**
- a) The AE-Zone is applied to areas of the County intended to be applied in fertile areas in which agriculture is and should be the desirable predominant use.
  - b) All general agricultural uses are principally permitted in the AE Zone. Commercial cannabis cultivation is specifically allowed in the AE Zoning designation subject to approval of the appropriate permit as required by the CMMLUO and CCLUO.
  - c) CCLUO section 55.4.6.1.2(b) allows cultivation of up to 43,560 SF of cultivation area on a parcel over 10 acres subject to approval of a Special Permit. The application for 22,000-SF total outdoor cultivation, of which 8,750 SF is existing, as well as 2,200 SF of appurtenant nursery space, the expansion of which would only occur on AE zoned area, on an 80-acre parcel is consistent with this and with the cultivation area verification prepared by the County.

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

- EVIDENCE:**
- a) The CCLUO allows existing and new cannabis cultivation activities, onsite processing, and nurseries to be principally permitted in areas zoned AE (HCC 314-55.4.6.1) and accommodates pre-existing cultivation activities in areas zoned TPZ (HCC 314-55.4.6.5).
  - b) The parcel was created in compliance with all applicable state and local subdivision regulations, as it was created through government patent as recorded in Book 12 of patents, Page 510, Humboldt County Records.
  - c) The project will obtain water from a non-diversionary water source, a 350,000-gallon rain catchment pond, rainwater collection from rooftops, and a groundwater well utilized for backup purposes.

- d) Access to the site is via a private driveway off of Dyerville Loop Road via Avenue of the Giants Road, a paved, Category 4 County-maintained roadway. A self-certified Road Evaluation Report (Form A) for the 1.0-mile access route was prepared by Antonio Petrushevski, and a photo-documented report was prepared by ETA Humboldt in January 2021. The report indicates the roadway can accommodate increased traffic given the 17 documented turnouts, the rocked surface, and the 16-to-20-foot road widths. These reports are supported further by a RER submitted by a licensed engineer on an adjacent project, PLN-12601-CUP, that identifies the road as the functional equivalent of a Road Category 4.
- e) Electricity is conditioned to be exclusively provided by a renewable energy source prior to expansion of the cultivation operation, and an energy plan demonstrating sufficient solar power is required within 3 years of project approval.
- f) The slope of the land where cannabis will be cultivated is less than 15 percent.
- g) The cultivation of cannabis will not result in the net conversion of timberland. No tree removal is proposed by the project.
- h) The location of the cultivation complies with all setbacks required in Section 314-55.4.6.4.4. It is more than 30 feet from any property line, more than 300 feet from any offsite residence and more than 600 feet from any school, church, public park, or tribal cultural resource.
- i) A Prime Agricultural Soil Assessment of the grassland meadow was prepared by Dirty Business Soil in May 2018 that mapped 1 acre of prime agricultural soil across four different locations, including a portion of the existing cultivation area. The revised site plan dated 11/22/21 indicates the prime agricultural soil locations relative to the existing and proposed cultivation areas and shows that less than 20 percent of the prime agricultural soils will be used for cannabis cultivation.
- j) A Biological Assessment, Botanical Assessment, and Wetland delineation were prepared for the project. No Sensitive Natural Community will be impacted by the proposed project expansion. A qualified biologist familiar with the life history of the NSO has conducted a Disturbance and Habitat Modification Assessment and found that the project would not impact NSO habitat and would not cause adverse impacts to NSO.

**6. FINDING:**

The cultivation of 22,000 square feet of 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) Access to the site is via Elk Creek Road, a private driveway off of Dyerville Loop Road via Avenue of the Giants Road. Dyerville Loop Road is a paved, Category 4 County-maintained roadway. A self-certified Road Evaluation Report (Form A) for the 1.0-mile access route was prepared by Antonio Petrushevski, and a photo-documented report was prepared by ETA Humboldt in January 2021. The report indicates the roadway can accommodate increased traffic given the 17 documented turnouts, the rocked surface, and the 16-to-20-foot road widths. This documentation is further supported by an RER that was prepared by a licensed engineer for an adjacent cannabis project, which found the road to be the functional equivalent to a Road Category 4
  - b) The site is in a rural part of the County where the typical parcel size is over 80 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 that 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) The location of the proposed cannabis cultivation is more than 300 feet from the nearest offsite residence.
  - d) The primary source of irrigation water for this project is rainwater stored in an existing 350,000-gallon capacity pond. A permitted groundwater well will be utilized for backup purposes. Estimated annual water usage is 289,000 gallons.
  - e) 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 significantly affected. The applicant has submitted a Site Management Plan for controlling runoff and protecting water quality to the County and the North Coast Regional Water Quality Control Board.

- 7. FINDING:** The proposed development does not reduce the residential density for any parcel below that was utilized by the Department of Housing and Community Development in determining

compliance with housing element law.

**EVIDENCE:** 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 that may be approved in each of the County's Planning Watersheds.

**EVIDENCE:** The project site is located 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 project, the total approved permits in this Planning Watershed would be 307 permits, and the total approved acres would be 87.25 acres of cultivation.



## DECISION

**NOW, THEREFORE, based on the above findings and evidence, the Humboldt County Zoning Administrator does hereby:**

- Adopt the findings set forth in this resolution; and
- Conditionally approves the Mayers Flat Farm, LLC Special Permits based upon the Findings and Evidence and subject to the conditions of approval attached hereto as Attachment 1 and incorporated herein by reference; and

Adopted after review and consideration of all the evidence on **July 18, 2024**

I, John H. Ford, Zoning Administrator 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 Zoning Administrator at a meeting held on the date noted above.



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John Ford, Director  
Planning and Building Department

## ATTACHMENT 1

### CONDITIONS OF APPROVAL

APPROVAL OF THE SPECIAL PERMIT IS CONDITIONED ON THE FOLLOWING TERMS AND REQUIREMENTS WHICH MUST BE SATISFIED BEFORE THE PROVISIONAL CANNABIS CULTIVATION PERMIT CAN BE FINALIZED.

#### A. General Conditions for 8,750 Square Feet of Pre-Existing Cannabis Cultivation

1. 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.
2. The applicant is required to pay for permit processing on a time-and-materials 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. Any and 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 and Building Department, 3015 H Street, Eureka.
3. The applicant is responsible for costs for post-approval review for determining project conformance with conditions. A deposit is collected to cover this staff review. Permit conformance with conditions must be demonstrated prior to release of building permit or initiation of use and at time of annual inspection. 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 (currently \$750) shall be paid within sixty (60) days of the effective date of the permit or upon filing of the Compliance Agreement (where applicable), whichever occurs first. Payment shall be made to the Humboldt County Planning and Building Department, 3015 H Street, Eureka.
4. A Notice of Determination (NOD) will be prepared and filed with the County Clerk for this project in accordance with the State CEQA Guidelines. **Within three days of the effective date of permit approval** the Department will file the NOD and will charge this cost to the project.
5. Within 60 days of the effective date of permit approval, the applicant shall execute a Compliance Agreement with the Humboldt County Planning and Building Department detailing all necessary permits and infrastructure improvements described under Conditions of Approval #6 through #14. The agreement shall provide a timeline for



completing all outstanding items. All activities detailed under 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.

6. The applicant shall secure permits for all structures related to the cannabis cultivation and other commercial cannabis activity, including, but not limited to, existing and proposed greenhouses, water tanks over 5,000 gallons, existing and proposed structures associated with drying and storage or any activity with a nexus to cannabis, and any noise containment structures as necessary. The plans submitted for building permit approval shall be consistent with the project description and the approved project site plan. A letter or similar communication from the Planning and Building Department verifying that all structures related to the cannabis cultivation are permitted will satisfy this condition.
7. The approved building plans shall meet all applicable fire codes, including fire suppression infrastructure requirements deemed necessary for the project by the Building Inspection Division. Sign-off on the Occupancy Permit by the Building Inspection Division shall satisfy this requirement.
8. The applicant shall obtain a grading permit for the existing rainwater catchment pond.
9. The applicant shall obtain a permit to operate any U.S. Environmental Protection Agency Tier 4 diesel generator from the North Coast Unified Air Quality Management District and obtain an electric permit from the County's Building Department, as applicable.
10. Eighty percent of the existing cultivation must be met by renewable sources by January 1, 2026. To demonstrate this, the applicant shall furnish an energy budget detailing all monthly cultivation-related energy use, and an onsite renewable energy generation and storage capacity plan approved by the Planning and Building Department must be implemented by January 1, 2026.
11. The applicant shall install water monitoring devices on the storage tanks and rain catchment pond, as well as on the irrigation outlet from the groundwater well, to monitor water used for cannabis irrigation. Monthly records of water use shall be maintained and made available to the Planning Department at each annual inspection or as otherwise requested by Planning Department staff. The well outflow shall be separately metered running to the house and to the irrigation tanks in order to separately meter water utilized for irrigation purposes.

12. Abiding by the recommended best practicable treatment and control measures and details in the Mitigation Report attached to the Site Management Plan (SMP) prepared by Timberland Resource Consultants are made a condition of approval. A letter or similar communication from the State Water Resources Control Board verifying that all their requirements have been met will satisfy this condition.

- a. Apply additional rock surfacing to those areas on access roads that are identified in the Mitigation Report attached to the SMP as requiring additional stabilization measures (Sites 2, 4, 10).
- b. Maintain existing drainage structures at Sites 1, 2, 3, 4 and install new drainage features at Sites 5 and 8.
- c. Treat the controllable sediment delivery sites identified at Sites 9 and 10.
- d. Upgrade the two watercourse crossings at Sites 11 (installation of crossing) and 12 (inadequate ford) as allowed under the Revised Final Lake and Streambed Alteration Agreement (LSAA 1600-2018-0695-R1) with CDFW obtained in October 2020.
- e. Install a metering device and/or procedure in early 2020 to record all water diverted, all pumped water, and all water used for the irrigation of cannabis and domestic uses.
- f. Maintain all water storage tanks with fixed or retrofitted lids that will exclude wildlife entrapment. Install overflow prevention measures on storage tanks and transfer infrastructure to prevent overflowing of tanks and unnecessary waste of water resources.
- g. Implement water conservation measures such as drip-line irrigation, morning or evening watering, and mulch or cover cropping of cultivated soils.
- h. Install secondary containment on all generators and associated motor oil and fuel tanks/cans and maintain those secondary containers that are in existence around the 250-gallon and 500-gallon fuel tanks.

13. The applicant shall incorporate the recommendations from the Public Works referral response dated 7/21/21. These conditions shall be completed to the satisfaction of the Department of Public Works prior to commencing operations, final signoff for a building permit, or Public Works approval for a business license

- a. All fences and gates shall be relocated out of the County right-of-way. All gates shall be setback sufficiently from the County road so that vehicles will not block traffic when staging to open/close the gate. In addition, no materials shall be stored or placed in the County right-of-way.
- b. All driveways and private road intersections on to the County road shall be maintained in accordance with County Code Section 341-1 (Sight Visibility Ordinance).



- c. Any existing or proposed non-County-maintained access roads that will serve as access for the proposed project that connect to a County maintained road shall be improved to current standards for a commercial driveway. The applicant must apply for and obtain an encroachment permit from the Department of Public Works prior to commencement of any work in the County-maintained right-of-way. This also includes installing or replacing intersection culverts; minimum size is typically 18 inches. If the County road has a paved surface at the location of the access road, the access road shall be paved for a minimum width of 20 feet and a length of 50 feet (or break in slope where it intersects the County road).

14. The applicant shall construct a generator enclosure that shall ensure that noise from the emergency backup generator does not exceed 50db at 100 feet, or the edge of the forest habitat, whichever is closer.

**APPROVAL OF THE EXPANSION OF 32,550 SQUARE FEET OF CANNABIS CULTIVATION IS CONDITIONED ON THE FOLLOWING TERMS AND REQUIREMENTS WHICH MUST BE SATISFIED BEFORE OPERATION.**

**B. General Conditions for 13,250 Square Feet of New Cannabis Cultivation**

1. Conditions A1 through A14 shall apply to the 13,250 square feet of new cannabis cultivation.
2. The applicant is proposing to add a photovoltaic solar system with 16 25-watt photovoltaic panels paired with 16 deep-cycle batteries to completely phase out generator use as a primary power supply. The applicant shall demonstrate that 100 percent of energy demand for the entire cultivation site (not counting domestic uses) will be met using renewable energy sources. To demonstrate this, the applicant shall furnish an energy budget detailing all monthly cultivation-related energy use, and an onsite renewable energy generation and storage capacity plan approved by the Planning and Building Department.
3. Nesting bird surveys shall be conducted if any vegetation removal occurs during the nesting season of March 1<sup>st</sup> through August 31<sup>st</sup>. If nesting birds are found, buffers shall be required around nests and shall be developed as recommended by the project biologist in consultation with CDFW.
4. All grading or ground-disturbing activities that occur with heavy machinery shall occur outside of the breeding season for northern spotted owl.

5. Prior to ground disturbance associated with proposed greenhouses 3 and 4 (as identified on the plot plan labelled "Humboldt County Plot Plan" stamped "Received Planning and Building 4/26/2024) the applicant shall submit a letter from a licensed engineer examining and addressing the stability of the slope located directly upslope from the proposed greenhouses. If stabilization is determined to be required a grading plan shall be submitted and the slope shall be stabilized prior to ground disturbance.
6. A Site Management Plan shall be submitted for the proposed expansion area. The Site Management Plan shall include implementation of stormwater control measures to ensure that runoff is routed to settling basins or bioswales and away from streams and wetlands.
7. A light management plan, identifying all sources of light associated with the cultivation and their compliance with International Dark Sky standards, shall be submitted cultivation.

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

1. 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 at cultivation sites set by CCLUO Section 55.4.12.6 requirements. The combined noise levels measured at 100 feet or the edge of habitat, whichever is closer, shall be at or below 50 decibels or at or below ambient non-cultivation-related noise levels. Conformance will be evaluated using current auditory disturbance guidance prepared by the United States Fish and Wildlife Service, and further consultation where necessary. A building permit shall be obtained should any structures be necessary for noise attenuation.
2. Average ambient sound levels on the property lines, over a 24 hour period, were recorded as 40 db at the eastern property line, 38 db at the southern property line, and 41 at the western property line. Noise levels shall not exceed 3 db above these ambient readings. Noise from cultivation activities shall not exceed 43 db at the eastern property line, 41 db at the southern property line, and 44 db at the southern property line.



3. All artificial lighting shall be fully contained within structures such that no light escapes (e.g., through blackout curtains). Structures shall be enclosed between 30 minutes prior to sunset and 30 minutes after sunrise to prevent disruption to wildlife. All security lighting shall be motion activated and shall comply with International Dark Sky Association standards and Fixture Seal of Approval Program; see <https://www.darksky.org/our-work/lighting/lighting-for-citizens/lighting-basics/>.
4. Should the Humboldt County Planning Division receive complaints that the lighting or noise is not complying with the standards listed above in items B.1. and B.2., within 10 working days of receiving written notification that a complaint has been filed, the applicant shall submit written verification that the lights' shielding and alignment, and noise levels have been repaired, inspected, and corrected as necessary.
5. Ensure all generators be located on stable surfaces with a minimum 200-foot buffer from all waterways measured horizontally from the outer edge of the riparian drip zone.
6. The groundwater well shall be utilized for backup purposes only. Accordingly, no more than 25% of the total annual irrigation needs shall be diverted from the well to cannabis irrigation.
7. Prohibition on use of synthetic netting. To minimize the risk of wildlife entrapment, Permittee shall not use any erosion control and/or cultivation materials that contain synthetic (e.g., plastic or nylon) netting, including photo- or biodegradable plastic netting. Geotextiles, fiber rolls, and other erosion control measures shall be made of loose-weave mesh, such as jute, hemp, coconut (coir) fiber, or other products without welded weaves.
8. All refuse shall be contained in wildlife proof storage containers, at all times, and disposed of at an authorized waste management facility.
9. Should any wildlife be encountered during work activities, the wildlife shall not be disturbed and be allowed to leave the work site unharmed.
10. The use of anticoagulant rodenticide is prohibited.
11. 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.

12. All components of project shall be developed, operated, and maintained in conformance with the Project Description, the approved Site Plan, the Plan of Operations, and these conditions of approval. Changes shall require modification of this permit except where consistent with Humboldt County Code Section 312-11.1, Minor Deviations to Approved Plot Plan. If offsite processing is chosen to be the preferred method of processing, this permit shall be modified to identify the offsite licensed facility.
13. Cannabis cultivation and other commercial cannabis activity shall be conducted in compliance with all laws and regulations as set forth in CCLUO and Medicinal and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA), as applicable to the permit type.
14. 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.
15. Possession of a current, valid required license, or licenses, issued by any agency of the State of California in accordance with the MAUCRSA, and regulations promulgated thereunder, as soon as such licenses become available.
16. 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.
17. 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, 300 feet from any residence, 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 55.4.6.4.4.

18. Maintain enrollment in Tier 1 or certification with North Coast Regional Water Quality Control Board (RWQCB) Order No. R1-2019-0023, if applicable, or any substantially equivalent rule that may be subsequently adopted by the County of Humboldt or other responsible agency.
19. Comply with the terms of any applicable Lake and Stream Alteration (1600 or 1602) Permit obtained from the California Department of Fish and Wildlife (CDFW).
20. 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.
21. 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).
22. Refrain from the improper storage or use of any fuels, fertilizer, pesticide, fungicide, rodenticide, or herbicide.
23. Pay all applicable application, review for conformance with conditions and annual inspection fees.
24. 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.
25. The master log books maintained by the applicant to track production and sales shall be maintained for inspection by the County.
26. Pay all applicable taxes as required by the Humboldt County Commercial Marijuana Cultivation Tax Ordinance (Humboldt County Code Section 719-1 et seq.).
27. Term of Commercial Cannabis Activity Special Permit. Any Commercial Cannabis Cultivation Special Permit issued pursuant to the CCLUO shall expire 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. 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 Special Permit or permit holder with a written statement identifying the items not in compliance and the action that the permit holder may take to cure the non-compliance or file an appeal within 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 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 non-compliance. Failure to request reinspection or to cure any items of non-compliance shall terminate the Special Permits immediately upon the expiration of any appeal period or final determination of the appeal if an appeal has been timely filed pursuant to Section 55.4.13 of the CCLUO.

28. The applicant shall consent to an annual onsite compliance inspection, with at least 24 hours prior notice, to be conducted by appropriate County officials during regular business hours (Monday – Friday, 9:00 am – 5:00 pm, excluding holidays).
29. The applicant shall be compliant with the County of Humboldt's Certified Unified Program Agency 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.

#### Performance Standards for Cultivation and Processing Operations

30. Pursuant to the MAUCRSA, Health and Safety Code Section 19322(a)(9), 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."
31. 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).
32. 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.
33. 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.
34. 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
35. Term of Commercial Cannabis Activity Special Permit. Any Commercial Cannabis Cultivation SP issued pursuant to the 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.
36. 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 Special Permit, immediately upon the expiration of any appeal period, or final determination of the appeal if an appeal has been timely filed pursuant to Section 55.4.13.
37. 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.
38. 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.
39. 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 CCLUO 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.

40. Inspections. The permit holder and subject property owner are to permit 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.

**Informational Notes:**

1. Pursuant to Section 314-55.4.10.10 of the CCLUO, if upon inspection for the initial application, violations of any building or other health, safety, or other state or county statute, ordinance, or regulation are discovered, the Planning and Building Department may issue a provisional clearance or permit with a written approved Compliance Agreement. By signing the agreement, the permittee agrees to abate or cure the violations at the earliest opportunity but in no event more than two (2) years after the date of issuance of the provisional clearance or permit. Plans for curing the violations shall be submitted to the Planning and Building Department by the permittee within one (1) year of the issuance of the provisional certificate or permit. The terms of the compliance agreement may be appealed pursuant to Section 312-13 of the Humboldt County Code.
2. This provisional permit approval shall expire and become null and void at the expiration of one (1) year after all appeal periods have lapsed (see "Effective Date"), except where the Compliance Agreement per Condition of Approval #A5 has been executed and the corrective actions pursuant to the agreement are being undertaken. Once building permits have been secured and/or the use initiated pursuant to the terms of the agreement, the use is subject to the Permit Duration and Renewal provisions set forth in Conditions of Approval #26 and 27 of the Ongoing Requirements/Development Restrictions, above.
3. 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, groundstone 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.

4. The applicant shall be aware that the Federal Government considers the cultivation of cannabis to be an illegal activity. This project is accessed by using roads that pass-through lands owned by the Federal Government. The Federal Government may not allow the applicant to use these roads to transport cannabis. In such case, Humboldt County will not provide relief to the applicant. Approval of this permit does not authorize transportation of cannabis across Federal lands.



**Mayers Flat Farm LLC**

**March 29<sup>th</sup> 2024**

**Operations Plan Revision**

Location: 13360 Dyerville Loop Rd. Myers Flat, CA 95554

APN: 211-372-006



**This document serves as an addendum/revision to the submitted Operations Plan from October 18<sup>th</sup> 2021. Revisions made to this document only to reduce the size of the project to 22,000ft<sup>2</sup> of outdoor and outdoor light deprivation cultivation, and to revise the water and irrigation plan/rainwater catchment analysis for the reduced cultivation. All other aspects of the project remain the same.**

### **Project Description**

The proposed expansion project includes five (5) outdoor light deprivation greenhouses, two (2) full term outdoor cultivation areas and a propagation greenhouse. There are currently two existing greenhouses, one 35' x 120' (4,200ft<sup>2</sup>) and one 35' x 130' (4,550ft<sup>2</sup>) for a total 8,750ft<sup>2</sup> of existing light deprivation cultivation. The applicant is proposing to add two (2) outdoor cultivation areas, (total 5262ft<sup>2</sup>) and three (3) outdoor light deprivation greenhouses (total 7988ft<sup>2</sup>) for a total proposed canopy of 22,000ft<sup>2</sup>. These outdoor cultivation areas and greenhouses will be built on the existing natural ground surfaces and will employ above ground pots for cultivation. There will be no grading, flattening, vegetation removal, or other ground disturbance associated with these cultivation areas. Applicant is proposing to expand the existing 25' x 35' (875ft<sup>2</sup>) propagation greenhouse to 30' x 73.3' (2,200ft<sup>2</sup>). The applicant is also proposing to add a photovoltaic solar system with 16 250watt photovoltaic panels and 16 deep cycle batteries to phase out the current Generator as primary power supply. The applicant is proposing to install an additional groundwater well to increase available water resources on the parcel for firefighting, domestic and irrigation uses.

Ancillary propagation area will be expanded by replacing the existing 875ft<sup>2</sup> greenhouse with one proposed greenhouse 2,200 ft<sup>2</sup> with light assist for the propagation of vegetative plants. Propagation area greenhouse will employ light shielding techniques such as black out tarps with secured ends.

All cannabis will be harvested and dried in the existing 32' X 60' (1,920ft<sup>2</sup>) drying room on site. The dried cannabis will be processed off site at a licensed facility.

Irrigation Water use for this project estimated to be 289,000-gallons (13-gal/ft<sup>2</sup>). Irrigation water will be sourced from a 350,000-gallon rain catchment reservoir, as well as a roof and tarp rainwater system that will collect water from the greenhouses and store it in HDPE water storage tanks. There are four existing water storage tanks on the parcel, three 3,000-gallon tanks and one 1,100-gallon tank. The applicant is proposing to add 20,000-gallons of additional hard tank water storage to the parcel. Tanks sizes are to be determined but will be under 5,000-gallons each. Total water storage with pond, existing tanks and proposed tanks is 380,100-gallons. This is more than enough water storage to serve the project, even with an estimated loss of 80,000-gallons from the pond due to evaporation.

### **Land Features**

Proposed Cultivation greenhouses will be built on existing flats on the land, the land will not be graded to accommodate the expansion. The new cultivation areas associated with this cultivation operation will be built on the natural contours of the land and will employ above ground pots. There will be no grading, flattening, vegetation removal or other ground disturbance associated with these new cultivation areas. The existing

rainwater catchment reservoir was built in 2017 and pond plans have been submitted.

### **Access to Property**

The site is located on an unnamed private road, off Dyerville Loop Rd a county-maintained road, in the Myers Flat Area. Personal driveway is shared with no additional neighbors. See Google maps for specific directions.

### **Proximity**

The nearest neighboring properties are 220 feet to the South and 84 feet to the east from the cultivation sites. There are no schools, school bus stops, public parks, public lands, hiking trails or tribal resources within 600 ft of the property.

### **Equipment/ Power**

This is an outdoor light deprivation cultivation operation, with processing to occur on site. The only energy utilized by the applicant will be for ancillary cannabis activities including but not limited to:

- Drying room implements dehumidifiers, fans and lights for visibility
- Water and air pumps for fertilizer
- Atomizer (for foliage feeding and pest/disease), and
- Supplemental lighting in the propagation greenhouse

Power for this parcel will be provided in the short term by a 25kw diesel generator. There is also a 45kw diesel generator on site for emergency back-up. The applicant is proposing to install a solar system consisting of 16 (sixteen) 250-Watt solar panels and 16 (sixteen) 385AH L16 batteries to power the project in the future. The applicant is anticipating that it will take four years to build and complete the solar array to use as primary power source.

### **Petroleum Based/ Fuel Products**

Project site will not store any Hazardous Waste in threshold beyond domestic use. If any additional storage of hazardous waste becomes necessary, an appropriate application will be filed with DHHS.

Any above ground storage tanks and containers shall be provided with a secondary means of containment for the entire capacity of the largest single container and sufficient freeboard to contain precipitation. Onsite fuel storage tank is on a flat stable surface, within secondary containment and under a roof. All five-gallon gasoline cans are stored with secondary containment inside of shed or similar enclosure on flat, stable areas. The applicants will implement spill prevention, control, and countermeasures (SPCC). There are no underground storage tanks on the property. All petroleum products on property are stored with secondary containment inside of a shed or similar enclosure on flat, stable areas.

### **Solid Waste/ Recycling**

Solid waste and recycling shall be stored in a location and manner that prevents its discharge to receiving waters and prevents any leachate or contact water from entering or percolating to receiving waters. All solid waste and recycling are stored in cans with lids on a stable, flat area. The cans are secured to exclude wildlife. Solid waste and recycling shall be disposed of at an authorized municipal waste transfer station. It will be taken to by personal vehicle, i.e., truck, 1-3 times per week depending on garbage accumulation.



## Solid Waste and Recyclables Disposal

Redway Transfer Station

California Conservation Camp Rd.

Redway, CA 95560707-923-3944

<https://www.recology.com/recology-eel-river/redway-transfer-station/>

## Amended Cultivation Plan

### Cultivation Site

This project will consist of five (5) light deprivation greenhouses, and two full term outdoor cultivation areas for a total of 22,000ft<sup>2</sup> of cultivation. There are currently two existing greenhouses with a total of 8,750ft<sup>2</sup>. An additional 2,200 ft<sup>2</sup> of propagations space will also be utilized by expanding the existing 875ft<sup>2</sup> greenhouse to 2,200ft<sup>2</sup>. All cannabis will be grown in greenhouses. All cannabis is harvested and dried on site.

### Cultivation Areas

Cultivation Area	Cultivation Type	Cultivation Area	Structure Sizing
Greenhouse 1 (Existing)	Outdoor Light Deprivation Greenhouse	4,550 ft <sup>2</sup>	35' x 130'
Greenhouse 2 (Existing)	Outdoor Light deprivation Greenhouse	4,200 ft <sup>2</sup>	35' x 120'
Greenhouse 3 (proposed)	Outdoor Light Deprivation Greenhouse	2,794 ft <sup>2</sup>	22' x 127'
Greenhouse 4 (proposed)	Outdoor Light Deprivation Greenhouse	2,794 ft <sup>2</sup>	22' x 127'
Greenhouse 5 (proposed)	Outdoor Light Deprivation Cultivation	2,400 ft <sup>2</sup>	20' x 120'
Cultivation Area 1 (proposed)	Full-Sun outdoor cultivation area	2,408 ft <sup>2</sup>	56' x 43'
Cultivation Area 2 (proposed)	Full-Sun outdoor cultivation area	2,854 ft <sup>2</sup>	20' x 142.7'
Total Flowering Area	Full Sun and Outdoor light deprivation	22,000 ft <sup>2</sup>	5 Outdoor Light Deprivation Flowering Greenhouses and 2 full sun outdoor cultivation areas
Ancillary Area	Propagation Space	2,200 ft <sup>2</sup>	30' x 73.3' Propagation Greenhouse

Existing Greenhouses- one 4,550ft<sup>2</sup> greenhouse and one 4,200ft<sup>2</sup> greenhouse for a total of 8,750ft<sup>2</sup> of existing cultivation.

Proposed Greenhouses- two 2,794ft<sup>2</sup> greenhouses and one 2,400ft<sup>2</sup> greenhouse for a total of 7,988ft<sup>2</sup> of outdoor light deprivation cultivation.

Proposed full-sun outdoor Cultivation areas- one 2,408ft<sup>2</sup> cultivation area and one 2,854ft<sup>2</sup> cultivation areas for an additional 5,262ft<sup>2</sup> of cultivation for a combined total of 22,000ft<sup>2</sup>

Propagation Space- This area contains 1 (one) existing 875ft<sup>2</sup> (25' x 35') greenhouse, which is proposed to be expanded to 30' X 73.3' vegetative Greenhouse for a total of 2,200ft<sup>2</sup> of propagation space.

## Water Storage Facilities

Storage Facility	Capacity	Type	Point of Use	Water Source
Water Tank	3,000-gallons	HDPE Storage Tank	Domestic	Spring Diversion
Water Tank	22,000-gallons	water storage bladder	SRA Fire Tank	Spring diversion/Well
Water Tank	3,000-gallons	HDPE Storage Tank	Irrigation Storage	Rainwater Catchment
Water Tank	3,000-gallons	HDPE Storage Tank	Irrigation Storage	Rainwater Catchment
Water Tank	3,000-gallons	HDPE Storage Tank	Irrigation Storage	Rainwater Catchment
Water Tank	1,100-gallons	HDPE Storage tank	Irrigation Storage	Rainwater Catchment
Proposed Water Tanks	20,000-gal total individual sizes TBD	HDPE Storage Tanks	Irrigation Storage	Rainwater
Rain Catchment Reservoir	350,000 gallons	Reservoir	Irrigation Storage	Rain Catchment

Pond existing- 350,000-gallons of rainwater catchment. Groundwater Well, installed in 2018. 220' deep and produces 20GPM. These existing non diversionary irrigation water sources provide all the water needed for the project. Domestic Spring S028042 is strictly for domestic use. Applicant is proposing to install an additional groundwater well to increase available water resources to the parcel, as well as 40,000-gallons of Hard Tank water storage. Individual tank sizes to be determined.

## Ancillary Cannabis Facilities

Facility	Size	Purpose
Existing Drying/pesticide and nutrient storage building	32' x 60' (1,920ft <sup>2</sup> )	Drying and pesticide/nutrient storage (10' x 32' nutrient storage)
Generator shed	10' x 20' (200ft <sup>2</sup> )	Generator and fuel storage area
Connex Container	10' x 20' (200ft <sup>2</sup> )	Secured Harvest Storage/Admin Hold
Connex Container	10' x 20' (200ft <sup>2</sup> )	Misc. equipment storage
Proposed Solar Array	10' x 30' (300ft <sup>2</sup> )	Solar equipment and batteries

## Immature Plants

Each spring the Applicant takes cuttings or clones from mother plants and rears them in propagation greenhouse till plants are ready to be moved to flowering greenhouses. Immature plants will be cultivated in one (1) greenhouse. Artificial lights will facilitate plant growth and hinder plants from moving into flowering stages ahead of cultivation schedule. All lighting will be shielded with black out tarps and checked daily for light leaks.

## Cultivation Cycles

The Applicant cultivates in light deprivation greenhouses in two cycles from April to October. The first cycle is from April to July, the second cycle is from roughly July to October. The Applicant uses supplemental light inside the propagation greenhouse to start plants. The Applicant uses a blackout tarp over the flowering greenhouses, at regular intervals to impede natural sunlight. No artificial lighting in flowering greenhouses. All greenhouses will be equipped with fans.

There are companion plants, native grasses and indigenous plants that grow in the garden and around the area to also help control any type of run off. There are no signs of wastewater runoff or erosion in these gardens. Hay is also spread around the area and on the topsoil. The water line as well as manifolds and fittings will be checked on a regular basis for leak or cracks.



## **Processing Plan**

### **Harvest**

Cannabis will be harvested using gloves and clean tools. All cannabis will be hung to dry in the existing drying room. Dehumidifiers and fans will aid drying in the building. Cannabis will be dried for 10-14 days on lines in these areas depending on weather. The rooms will have proper ventilation, fans, and dehumidifiers to maintain proper environment. Moldy cannabis will be removed and destroyed using county and state approved procedures for holding and destroying unwanted product.

### **Curing**

Curing will take place after cannabis is dried on the lines. Cannabis will be visually checked for mold then placed into plastic totes for curing. During this time the bins will be checked for mold and moisture consistency. Curing cannabis will be stored in the drying/harvest storage room. Moldy or defective cannabis will be removed and destroyed using county and state approved procedures for holding and destroying unwanted product.

### **Processing**

Cannabis Trimming will occur off site at a licensed processing facility. Processed cannabis will be bagged into turkey bags or sealed bags to be held until a distributor is ready. The trim or remaining leaves from processed cannabis, will be bagged into contractor bags to be stored until needed, sold, or destroyed in the legal manner.

### **Processing- Employees and Contractors**

Employees will be seasonal and subcontracted as possible. Employees and contractors will have access to parking, spacious work zone, clean supplies for task, hand washing areas with soap, bathroom with sink and flushing toilet and break area. Fresh spring water is available, but workers are encouraged to bring their own drinking water. All areas are kept clean and in good condition. All employees and/ or contractors will have access to personal safety equipment to meet the needs of the job for example, face mask, gloves, Tyvek suits, safety glasses, rubber boot covers etc. There are no worker sleeping quarters on site. Workers are encouraged to carpool to work daily, and applicant intends to mitigate any additional traffic on Dyerville Rd., by reducing his own travel during times he has workers.

### **Worker Safety Practices**

Safety protocols will be implemented to protect the health and safety of employees. All employees shall be provided with adequate safety training relevant to their specific job functions, which may include:

- Employee accident reporting

- Security breach

- Fire prevention

- Emergency Numbers

## **Materials handling policies**

Use of protective clothing such as long sleeve shirts, brimmed hats, and sunglasses. Each garden site and or processing area have the following emergency equipment:

Personal protective equipment including gloves and respiratory protection are provided where necessary

Fire extinguisher

First Aid Kit

Snake Bite/Bee Sting Kit

Eye Washing Kit

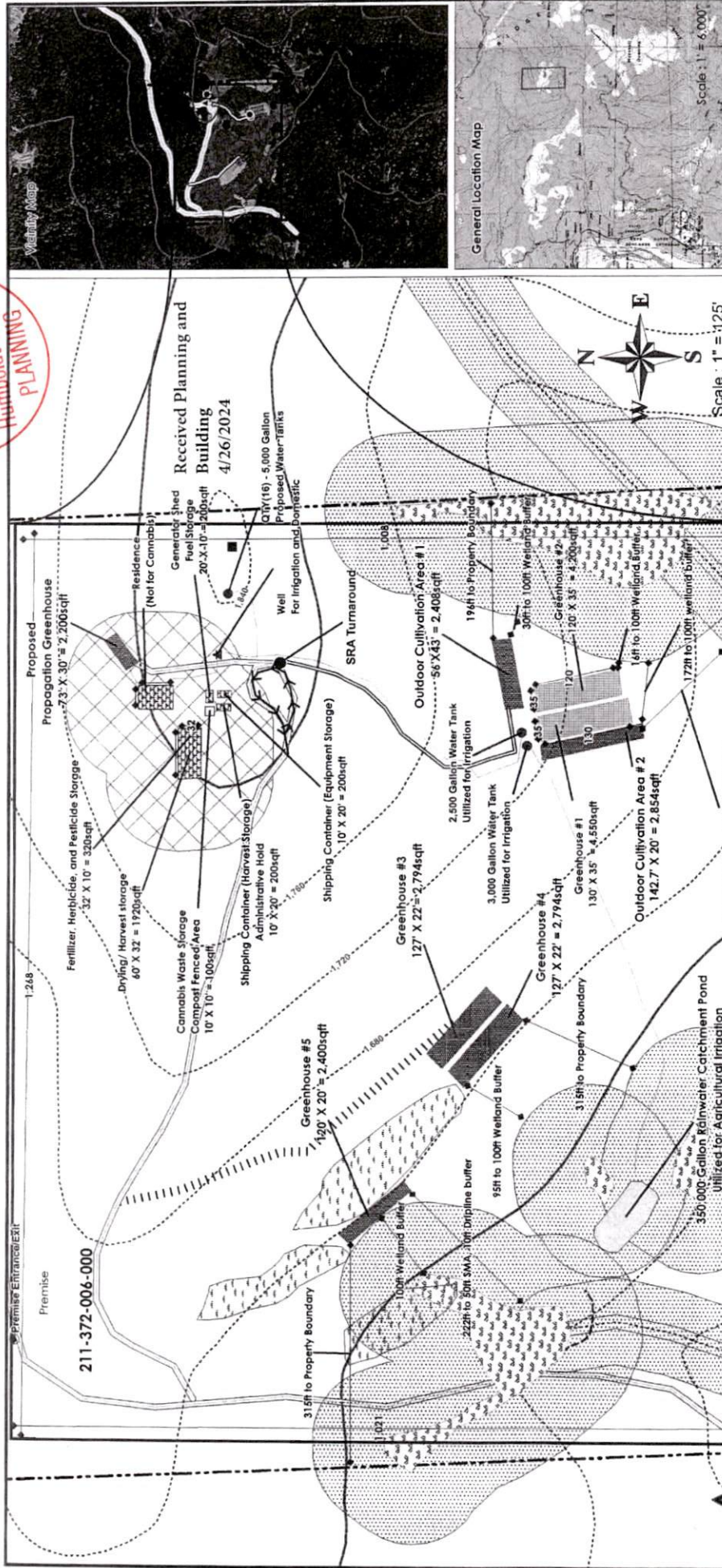
Comply with all applicable federal, state, and local laws and regulations governing California Agricultural Employers, which may include federal and state wage and hour laws, CAL/OSHA, OSHA, California Agricultural Labor Relations Act, and the Humboldt County Code (including the Building Code).



## Monthly Cultivation Site Activities

Month	Activities
January	Finish processing of fall harvest, trimming and storage. Plan new year. Mow cover crop. Check greenhouses for issues/fix. Check water lines, tanks and all equipment for repairs or damages. Make plan for repairs.
February	Work on trenches/and holes for plants layer more compost in beds. Treat compost if necessary. Finishing processing last year's crop if still necessary.
March	Get clones from other permitted grow operation. Transplant and move into greenhouse with seedlings. Amend beds, fix fences, service equipment, make plan for independent contractors i.e.; painting, fence building, greenhouse fixing, etc.
April	Amend and start turning beds, prep dirt and supplies for greenhouse plants Add nematodes compost for pest prevention. Mid- April move first round of plants to greenhouses. Weed whacking, mowing, and brush cleanup.
May	Spray with preventive sulfur. Treat with biodynamic preparations for pest control and mold control. Greenhouse plants switched into flower using a blackout cover mid-late May. Turn beds, fix/ replace and clean drip emitters, check timers. Double check all water systems for leaks and clogs. Put out sound sensors for rodents.
June	Regular feeding schedule of compost teas adhered to. Pests are dealt with as they arise with oils, nematodes and predator mites from compost. Procure next round of plants from licensed nursery.
July	Harvest greenhouse mid-month, replant with new clones from a permitted nursery. Treat plants with preventive measures. Harvested flowers to hang in drying area then to be cured and hand trimmed per processing plan.
August	Finish processing July's harvest. Monitor water supply, check lines and all areas for insect/ animal disturbance.
September	Prepare for Harvest. Clean and prepare lines and drying spaces in drying room. Clean all supplies and purchase new items needed. Harvest, cure and trim as outlined above in processing plan.
October	Harvest greenhouses. Process as outlined above. Pull all root-balls, pack hay and cover crop seeds on beds. Pull drip system. Check all equipment and tools for leaks and damages before storing for winter. Store all supplies possible, cleanup site.
November	Finish harvesting plants if necessary. Winterize water system, greenhouses, and sheds. Clean up drying rooms remove all lines and debris. Put away all supplies i.e. fans, dehumidifiers. Continue processing cannabis as outlined above.
December	Start amendments for winter. Prep all water and water storage system for shut down. Clean all garden implements. Put all left over supplies away. Driveway fixing, other farm/garden maintenance.





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- Legend**
- Property Boundary
  - Premise
  - Proposed Cultivation
  - Existing Cultivation Area
  - Structure
  - Delineated Wetland
  - Prime Agricultural Soils
  - SMA Buffer
  - 100% Fire Prevention Setback
  - Pond
  - Water Line
- Watercourse**
- Class I
  - Class II
  - Class III
- Roads**
- Permanent
  - Proposed
  - Seasonal
  - Trail
- Water Line**
- Compost Area
  - Solar
  - Water Tank
  - Well
- Scale**
- 0 100 Feet
- North Arrow**

Humboldt County Plot Plan

### Property Information

Owner Name: MAYERS FLAT FARM INC  
Mailing Address: PO BOX 2114 REDWAY CA 95560  
APN : 211-372-006  
Use Type: TIMBER PRESERVE  
Use Code: 7008  
Lot Acres: 80

## Cultivation Areas

Total Cultivation : 22,000sqft  
Greenhouse #1 : 130' X 35' = 4,550sqft  
Greenhouse #2 : 120' X 35' = 4,200sqft  
Greenhouse #3 : 127' X 22' = 2,794sqft  
Greenhouse #4 : 127' X 22' = 2,794sqft  
Greenhouse #5 : 120' X 20' = 2,400sqft  
Outdoor Cultivation Area #1 : 56' X 43' = 2,408sqft  
Outdoor Cultivation Area #2 : 142' X 20' = 2,840sqft  
Propagation Greenhouse: 73' X 30' = 2,200sqft

Water Storage	
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350,000 Gallon Rainwater Catchment Pond  
QTY(1) 2,500 Gallon Water Tank  
QTY(1) 3,000 Gallon Water Tank  
Proposed  
QTY(16) 5,000 Gallon Water Tanks