



COUNTY OF HUMBOLDT

For the meeting of: 1/15/2026

File #: 26-32

To: Planning Commission

From: Planning and Building Department

Agenda Section: Public Hearing

SUBJECT:

Jennifer Dunn Conditional Use Permits (Two Permits)

Assessor's Parcel Numbers: 210-062-007; 210-054-008; 210-071-001

Record Numbers: PLN-12402-CUP and PLN-12413-CUP

Larabee Valley Area

PLN-12402-CUP: A Conditional Use Permit for 43,560 square feet of new outdoor commercial cannabis cultivation, supported by a 4,350 square foot ancillary nursery. Estimated annual water usage is 958,320 gallons sourced by a permitted groundwater well (Well 2) and a proposed 2,000,000-gallon rainwater catchment pond (Pond 4). Well 2 is shared with application 12413. The pond is also shared with applications 12413 and 12410. Water storage consists of 75,000 gallons in proposed hard tanks and 30% of the pond (600,000 gallons). Drying is conducted on site (proposed Ag-Building 2) with additional processing such as trimming occurring off site. Proposed Ag-Building 2 is shared with application 12413. Power is provided by PGE and proposed solar reserving generators for emergencies only.

PLN-12413-CUP: A Conditional Use Permit for 43,560 square feet of new outdoor commercial cannabis cultivation, supported by a 4,350 square foot ancillary nursery. Estimated annual water usage is 958,320 gallons sourced by a permitted groundwater well (Well 2) and a proposed 2,000,000-gallon rainwater catchment pond (Pond 4). Well 2 is shared with application 12402. The pond is also shared with applications 12402 and 12410. Water storage consists of 75,000 gallons in proposed hard tanks and 30% of the pond (600,000 gallons). Drying is conducted on site (proposed Ag-Building 2) with additional processing such as trimming occurring off site. Proposed Ag-Building 2 is shared with application 12402. Power is provided by PGE and proposed solar reserving generators for emergencies only.

RECOMMENDATION(S):

That the Planning Commission:

1. Adopt the resolution, (Attachment 1) which does the following:

- a. Adopt the Mitigated Negative Declaration prepared for the Jennifer Dunn projects pursuant to section 15074 of the State CEQA guidelines; and
- b. Finds the proposed project complies with the General Plan and Zoning Ordinance; and
- c. Approves the Jennifer Dunn Conditional Use Permits subject to the conditions of approval (Attachment 1A); and
- d. Adopt the Mitigation Monitoring and Reporting Program.

DISCUSSION:

Project Location: This project is in the Larabee Valley area on the south side of State Highway 36, approximately 1.56 miles west from the intersection of China Mine Road and State Highway 36 and further described as Assessor's Parcel Numbers 210-071-001, 210-062-007, and 210-054-008 on the properties known to be in Sections 23, 26 and 27, Township 01 North, Range 04 East.

Present General Plan Land Use Designation: Agricultural Grazing (AG), Timberland (T), 2017 General Plan, Density: 40-160 acres per unit, Slope Stability: High Instability (3).

Present Zoning: Agricultural Exclusive (AE), Timber Production Zone (TPZ).

Environmental Review: An Initial Study/Mitigated Negative Declaration has been prepared pursuant to the California Environmental Quality Act (CEQA) Statute (Public Resources Code 21000-21189) and Guidelines (California Code of Regulations, Title 14, Division 6, Chapter 3, Sections 15000-15387).

State Appeal: Project is NOT appealable to the California Coastal Commission.

Major Concerns: None.

Monitoring Required: Annual Compliance Monitoring.

Executive Summary:

PLN-12402-CUP: A Conditional Use Permit for 43,560 square feet of new outdoor commercial cannabis cultivation, supported by a 4,350 square foot ancillary nursery. Estimated annual water usage is 958,320 gallons sourced by a permitted groundwater well (Well 2) and a proposed 2,000,000-gallon rainwater catchment pond (Pond 4). Well 2 is shared with application 12413. The pond is also shared with applications 12413 and 12410. Water storage consists of 75,000 gallons in proposed hard tanks and 30% of the pond (600,000 gallons). Drying is conducted on site (proposed Ag-Building 2) with additional processing such as trimming occurring off site. Proposed Ag-Building 2 is shared with application 12413. Power is provided by PGE and proposed solar reserving generators for

emergencies only.

PLN-12413-CUP: A Conditional Use Permit for 43,560 square feet of new outdoor commercial cannabis cultivation, supported by a 4,350 square foot ancillary nursery. Estimated annual water usage is 958,320 gallons sourced by a permitted groundwater well (Well 2) and a proposed 2,000,000-gallon rainwater catchment pond (Pond 4). Well 2 is shared with application 12402. The pond is also shared with applications 12402 and 12410. Water storage consists of 75,000 gallons in proposed hard tanks and 30% of the pond (600,000 gallons). Drying is conducted on site (proposed Ag-Building 2) with additional processing such as trimming occurring off site. Proposed Ag-Building 2 is shared with application 12402. Power is provided by PGE and proposed solar reserving generators for emergencies only.

These applications are two of six that are proposed by different entities on the same legal parcel, which is 812 acres in size. If all six applications are approved a total of 5.29 acres of cultivation would be permitted on this property. This is consistent with the provisions of Sections 314-55.4.8.2.1.1 of the CMMLUO and 314-55.4.6.1.2.c of the CCLUO which allow for up to 43,560 (one acre) of cultivation area per 100-acre increment on parcels 320 acres or larger in size. A complete description and analysis of all proposed applications is included in the Draft Initial Study and Mitigated Negative Declaration (Attachment 3).

If approved, the projects will be subject to the standards of the CMMLUO. Using available data, the applicant provided an analysis demonstrating the pond and catchment area are adequate to provide annual irrigation water even in a drought year. In tandem with the permitted groundwater well, there is sufficient irrigation water for the project. Use of the groundwater well will not impact public trust resources. The applicant will need to enroll in State Water Board General Order No. WQ 2019-0001-DWQ prior to cultivating. The permit includes standard conditions of approval regarding portable toilets and wastewater systems.

As proposed and conditioned, the project is consistent with CMMLUO performance standards and California Department of Fish and Wildlife (CDFW) guidance and will not negatively affect the northern spotted owl or other sensitive species. The project is adequate setback from surface waters and no fill is proposed. Comments from CDFW have been considered and incorporated into the conditions of approval.

Access is taken from State Highway 36, which is publicly-maintained. A condition of approval requires documentation demonstrating that the encroachment is developed in accordance with Caltrans standards. Grading is proposed for a new rainwater catchment pond and no net timber conversion is associated with the proposed project. CalFire responded to the referral with no comment. The project is within the Bridgeville Fire Protection District. The project is also conditioned to include mitigations to protect Tribal Cultural Resources as well as the standard inadvertent discovery protocol regarding tribal cultural resources. The project, if approved, would be consistent with Humboldt County Board

of Supervisors Resolution No. 18-43.

An Initial Study / Mitigated Negative Declaration (SCH 2025111157) was circulated from November 26 to December 26, 2025. No public comment was received.

Water Resources: Annual water usage for both projects is 958,200 gallons each per year (22 gallons per square foot) from a proposed rainwater catchment pond (Pond 4) (40.4379,-123.694) and a permitted groundwater well (16/17-0172) located on the project parcel (40.43749, -123.69176). Per the Operations Plan, the proposed pond will be approximately 2,000,000 gallons in capacity. There are another 75,000 gallons of proposed tanks for each project (150,000 total) for irrigation. Per the Operations Plans for both projects, approximately 600,000 gallons of the pond's capacity is allocated to each of the respective projects (total 1,200,000 gallons). The remainder of annual irrigation water needs will come from the well (358,200 gallons each project). A diagram of the shared water distribution system is provided in **Attachment 7**.

The applicant provided a rainwater catchment analysis (**Appendix 6 ISMND**). The analysis concludes that in the driest rainfall years approximately 900,000 gallons can be collected. Combined with the groundwater well (Well #2), there is sufficient irrigation water for the proposed project. The site plan labels for the wells don't match the numbers assigned by the provided geologic analyses so there is a condition of approval to update the Site Plan and Operations Plan to correctly annotate the well number consistent with the individual well analyses (**Condition of Approval A3**). The applicant provided a geologic analysis of the groundwater well (**Appendix 5 ISMND**) conducted by a Geologist. This analysis concluded that the well is hydrologically disconnected from surface waters. The project is conditioned to require water metering and monthly water usage logbooks which must be kept and made available during annual inspection (**Condition of Approval A6**). Per the Operations Plan, the applicant will install an irrigation system that utilizes drip emitters with a flow rate of 0.5 gallons per emitter. All irrigation water will be regulated by battery operated timers that will irrigate the planted areas for 12 to 24 minutes every morning and evening, based on weather and plant needs. The applicant will need to provide a detailed water distribution site plan that shows the location of water distribution lines from the various water sources and demonstrate that only authorized water sources are allocated to the respective projects (**Condition of Approval A7**).

The project is subject to the State Water Board General Order No. WQ 2019-0001-DWQ. The applicant must demonstrate enrollment prior to commencing cultivation (**Condition of Approval A8**).

The Division of Environmental Health responded to the project referral for PLN-12402-CUP recommending standard conditions of approval regarding wastewater. DEH did not respond to the project referral for PLN-12413-CUP. Seasonal cultivation areas may be supported by portable toilets and records must be kept and made available upon request during annual inspections (**Condition of Approval B4**). Processing is to occur offsite at a licensed facility (**Condition of Approval B3**).

The project site has an active Lake or Streambed Alteration Agreement (LSAA) (1600-2018-0318-R1) (**Attachment 4A**). The project is conditioned to comply with the terms of the LSAA (**Condition of Approval C16**). Consultation with CDFW indicates that the applicant is operating in compliance with their LSAA.

Public Trust Analysis: An unnamed tributary of Butte Creek is approximately 2,700 feet to the northeast. Mule Creek is approximately 3,800 feet south of the project area. Though neither of these surface waters are mapped within the California Natural Diversity Database as providing habitat for listed species or sensitive communities, the water flows provided could contribute to public trust resources further downstream within the watershed. However, given the distances from the project area and an analysis conducted by a Geologist, there is no hydrologic connection between the groundwater well and these surface waters. Therefore, use of the well for irrigation will not impact public trust resources.

Biological Resources: A review of the California Natural Diversity Database does not indicate the presence of species or sensitive communities of concern. The nearest mapped Northern Spotted Owl activity centers are (HUM0125) approximately 2.1 miles to the west and (HUM0061) approximately 2.2 miles to the southwest and (HUM0339) approximately 2.1 miles to the east. A Northern Spotted Owl survey was also conducted (**Appendix 13 ISMND**) with negative sightings. A raptor survey was conducted (**Appendix 12 ISMND**). Per mitigation measure BR-1, nesting bird surveys are required for any construction or development occurring between February 1 and August 31 (**Condition of Approval A9**). Additional mitigation measures include BR-2 Bullfrog Management, BR-3 Invasive Species Management, and BR-4 Generator Sound Attenuation. These are included in the conditions of approval. The applicant has provided a Bullfrog Management Plan (**Attachment 4B**) and an Invasive Species Management Plan (**Attachment 4B**) and must follow them for the life of the project (**Conditions of Approval B14 and B15**).

A wetland delineation and an aquatic resources delineation (**Appendices 3 and 4 ISMND**) were conducted. All project areas are sufficiently setback from the mapped resources. A Biological Assessment and Botanical Survey were conducted (**Appendices 10 and 11 ISMND**). The assessment and survey concluded that no significant impact would occur if the project were implemented as designed. All recommendations from the assessment and survey have been implemented (e.g. raptor and NSO surveys) or are incorporated into the conditions of approval (e.g. preconstruction surveys during the nesting season).

The project has been conditioned to ensure supplemental lighting associated with the nursery adheres to Dark Sky Association standards including security lighting (**Condition of Approval C3**). Permit conditions of approval also prohibit using synthetic netting for erosion control (**Condition of Approval B11 and C5**), ensure refuse is contained in wildlife-proof storage (**Condition of Approval C6**), and prohibit use of anticoagulant rodenticides to further protect wildlife (**Condition of Approval C8**). Additionally, any noise sources are limited to 50dB at 100 feet or forest edge, whichever is closer

(Condition of Approval C2). As proposed and conditioned, the project is consistent with CMMLUO performance standards and CDFW guidance and will not negatively affect the Northern Spotted Owl or other sensitive species.

Barn 2 is located within a streamside management area but it was constructed more than 75 years ago, before the adoption of the Streamside Management Areas and Wetland Ordinance. It is legally non-conforming and can continue to be used for agricultural purposes such as drying of cannabis and agricultural storage. It cannot be used trimming or packaging as that would be a commercial use resulting in an intensification and change of use beyond what is legally non-conforming.

Prime Soils: The CMMLUO requires that new cultivation be placed on prime soils and limits the amount of coverage to 20%. There are approximately 77.4 acres of prime soils on the parcel. If all the proposed new cultivation (4 acres) for parcel 210-071-001 are approved, approximately 5% of the total prime soils would be used. This coverage is less than the 20% limit described in section 55.3.8.2.1 of the CMMLUO.

Energy: Power is provided by PGE and proposed solar. Generators are reserved for emergency use only **(Condition of Approval B6)**.

Access: The project parcels are accessed from State Highway 36, which is publicly maintained. The permit is conditioned to require documentation from Caltrans demonstrating the encroachment from Highway 36 is compliant with applicable standards. **(Condition of Approval A10)**. The Operations Plan states there will be up to four employees during peak operations. The site plan does not depict sufficient parking spaces. The conditions of approval require a Site Plan update to show parking and internal roads for the projects **(Condition of Approval A3)**. The internal road network of the project parcels is privately maintained and do not serve any other parcels.

Geologic Suitability: The project parcel proposed for cultivation is mapped in the County GIS as low instability. The new cultivation is proposed in areas mapped as 0 - 15% slope in accordance with section 55.4.8.2.1 of the CMMLUO. Grading permits will be required for the proposed pond.

Timber Conversion: Review of aerial imagery and the project materials indicate that no timber conversion is associated with historic cultivation or proposed to support the proposed new cultivation.

The project is in an area mapped as high fire hazard severity. CalFire responded to the project referral for PLN-12413-CUP with no comment and did not respond to the project referral for PLN-12402-CUP. If a Registered Professional Forester determines tree removal is needed to protect structures associated with cannabis operations, the structure(s) will either need to be moved to comply with appropriate distances or the structure(s) removed and the cultivation converted to full sun cultivation techniques to avoid any timber conversion **(Condition of Approval B7)**.

Security and Safety: Per the project Operations Plan, access to the property is restricted by electronic keypad-controlled gates. A security fence has been built along Highway 36 ensuring the meadow where the cultivation will occur is not accessible. The cultivation area will also be cross-fenced with locking gates to increase security and to ensure the cattle are not able to enter the cultivation area. While the site provides adequate space for emergency vehicle turnaround, the Site Plan provided by the applicant does not designate where these will be located. A Site Plan update is required to show the location of water storage dedicated to fire suppression (**Condition of Approval A3**). The project parcel is within the Bridgeville Fire Protection District.

Tribal Consultation: The project was referred to the Northwest Information Center and the Bear River Band of the Rohnerville Rancheria. Regional tribes were also invited to consult on the project through the AB52 process. No tribes requested consultation. The site was visited multiple times by the Bear River THPO as part of the project referral process. A Cultural Resource Investigation conducted by William Rich and Associates was provided. There are known Tribal Cultural Resources (P-12-001107) on APN 210-271-001 and 210-054-008. This area was updated by the investigation. Consultation with Bear River THPO resulted in a reduction of the 600-foot setback to 100 feet. Additionally, three isolate areas (WRA 01, 02, and 03) were identified. Consultation with the Bear River THPO also includes a recommendation that the isolate areas may be used for existing roads and existing parking if there is no excavation and at least six inches of base rock are added as a cap. The existing barn (Barn 2) within P-12-001107 can be used for drying if there is no ground disturbance of surrounding areas. Use of barn for trimming is not allowed because it would involve ground disturbance from required ADA parking spaces and septic system. These requests are included as mitigation measure CR-2 and the conditions of approval (**Condition of Approval**

B1) The study recommended the standard inadvertent discovery protocol which has been included as mitigation measure CR-1 and condition of approval (**Condition of Approval C1**).

Consistency with Humboldt County Board of Supervisors Resolution No. 18-43: Approval of this project is consistent with Humboldt County Board of Supervisors Resolution No. 18-43 which established a limit on the number of permits and acres which may be approved in each of the County's Planning Watersheds. The project site is in the Van Duzen Planning Watershed, which under Resolution 18-43 is limited to 425 permits and 146 acres of cultivation. With the approval of these two Conditional Use Permit, the total approved permits in this planning watershed would be 140 permits and the total approved acres would be approximately 49.27 acres of cultivation. If all six proposed projects are approved, the total number of approved permits in this planning watershed would be 144 permits and the total approved acres would be approximately 52.56 acres of cultivation.

Environmental Review: Staff prepared a thorough environmental analysis which included the preparation of an IS/MND pursuant to the CEQA Statute (Public Resources Code 21000-21189) and Guidelines (California Code of Regulations, Title 14, Division 6, Chapter 3, Sections 15000-15387).

With the proposed mitigations, any potential project impacts are reduced to below significant levels. The IS/MND was circulated for 30 days and the department did not receive any public or agency comment on the environmental document.

OTHER AGENCY INVOLVEMENT:

The project was sent to responsible agencies and all responding agencies have either replied with no comments, comments, or recommended approval or conditional approval (**Attachment 5**).

ALTERNATIVES TO STAFF RECOMMENDATIONS:

1. The Planning Commission could elect to add or delete conditions of approval. The Planning Commission could deny approval if unable to make all the required findings. Staff have concluded the required findings in support of the proposal as conditioned can be made. Consequently, Staff does not recommend further consideration of these alternatives.
2. The Commission could also decide the project may have environmental impacts that would require further environmental review pursuant to CEQA. Staff did not identify any potentially significant unmitigable impacts.

ATTACHMENTS:

1. A1 - 12402 Draft Resolution
A2 - 12413 Draft Resolution
B1 - 12402 Conditions of Approval
B2 - 12413 Conditions of Approval
2. Location Map
3. ISMND
 - A. Mitigation Monitoring Report
 - B. Appendix 1 Site Plans
 - C. Appendix 2 Operations Plans
 - D. Appendix 3 Wetland Delineation
 - E. Appendix 4 Aquatic Resources Delineation Report
 - F. Appendix 5 Well Analyses
 - G. Appendix 6 Rainfall Catchment Analyses
 - H. Appendix 7 Noise Assessment
 - I. Appendix 8 Less Than Three Acre Conversion Mitigation Plan
 - J. Appendix 9 Relocation and Restoration Plan

- K. Appendix 10 Biological Assessment
- L. Appendix 11 Botanical Survey
- M. Appendix 12 Raptor Survey
- N. Appendix 13 Northern Spotted Owl Survey

4. Applicant's Evidence in Support of the Required Findings
 - A. Lake or Streambed Alteration Agreement
 - B. Bullfrog Management Plan
 - C. Invasive Species Plant Management
5. Referral Agency Comments and Recommendations
 - A. Division of Environmental Health (PLN-12402-CUP)
 - B. California Department of Fish and Wildlife (PLN-12402-CUP and PLN-12413-CUP)
 - C. CalFire (PLN-12413-CUP)
6. Water Distribution Diagram

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Please contact Steven A. Santos, Senior Planner, at sasantos@co.humboldt.ca.us or (707)268-3749 for questions about this scheduled item.