

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

Resolution Number 24-011

Record Numbers: PLN-11603-ZCC and PLN-2020-16893

Assessor's Parcel Numbers: 209-301-012, 209-301-013, 209-301-016, 209-301-017

Resolution by the Zoning Administrator of the County of Humboldt certifying compliance with the California Environmental Quality Act and conditionally approving the Cameron Moore Zoning Clearance Certificate, Special Permit and Lot Line Adjustment.

WHEREAS, Cameron Moore, submitted an application and evidence in support of approving a Zoning Clearance Certificate for 10,000 square-foot of new outdoor light-deprivation cannabis cultivation, a Special Permit for a setback reduction to Humboldt Redwoods State Park, and a Lot Line Adjustment between three parcels resulting in two parcels; and

WHEREAS, the County as lead agency, prepared an Addendum to the Mitigated Negative Declaration (MND) prepared for the Commercial Medical Land Use Ordinance (CMMLUO) adopted by the Humboldt County Board of Supervisors on January 26, 2016. The proposed cannabis cultivation project does not present substantial changes that would require major revisions to the Mitigated Negative Declaration. No new information of substantial importance that was not known and could not be known at the time was presented as described by §15162(c) of CEQA Guidelines; and

WHEREAS, the County Planning Division, the lead agency, found the Lot Line Adjustment exempt from environmental review pursuant to Section 15305(a) of the CEQA Guidelines; and

WHEREAS, the Humboldt County Zoning Administrator held a duly-noticed public hearing on **March 7, 2024**, and reviewed, considered, and discussed the application for a Zoning Clearance Certificate, Special Permit and Lot Line Adjustment, 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:** A Zoning Clearance for 10,000 square feet of new outdoor light-deprivation cannabis cultivation and a Special Permit for a setback reduction from Humboldt Redwoods State Park (PLN-11603-ZCC); and a Lot Line Adjustment between three parcels, resulting in two parcels (PLN-2020-16893). 1,000

square feet of propagation space is proposed. The cannabis will be partially dry farmed, with supplemental water for irrigation provided by rainwater catchment. Approximately 30,700 gallons of water will be required annually for irrigation. A total of 52,800 gallons of water storage is proposed. Drying and bucking of mature cannabis will occur onsite within the greenhouses. Further processing will take place at a licensed processing facility. There will be a maximum of two employees on site. Power for the project will be provided by solar. A generator will be kept on site for emergency purposes only.

EVIDENCE: a) Project File: PLN-11603-ZCC and PLN-2020-16893.

2. FINDING: **CEQA.** The requirements of the California Environmental Quality Act have been complied with. The Humboldt County Zoning Administrator has considered the Mitigated Negative Declaration (MND) prepared for the Commercial Medical Marijuana Land Use Ordinance (CMMLUO) adopted by the Humboldt County Board of Supervisors on January 26, 2016, and the addendum to the MND prepared for the project and has also found the LLA exempt from environmental review per Section 15305(a) of the California Environmental Quality Act (CEQA).

EVIDENCE: a) Addendum prepared for the proposed Zoning Clearance Certificate and Special Permit.

b) The proposed Zoning Clearance Certificate and Special Permit do not present substantial changes that would require major revisions to the previous MND. No new information of substantial importance that was not known and could not be known at the time was presented as described by §15162(c) of CEQA Guidelines.

c) The LLA does not result in a change in land use or overall density and is intended to adjust the property boundary between APNs 209-301-012, and 209-301-017 to remedy the encroachment of the existing metal pole building that currently transects the lot line, and to accommodate proposed cannabis improvements associated with APNs 209-301-013 and 209-301-012. Therefore, the LLA is exempt pursuant to Section 15305(a) of the CEQA Guidelines. Section 15305(a) applies to minor lot line adjustments not resulting in the creation of any new parcel.

- d) The property is accessed via private driveway from Holmes Flat Road, a County maintained road. Public Works comments recommend paving the access driveway, maintaining access in accordance with the County Sight Visibility Ordinance, and ensuring that gates are setback sufficiently from the road so vehicles will not block traffic when opening or closing the gate.
- e) The project is located in the Bear River and Sinkyone Aboriginal Ancestral Territories. The project was referred to the Northwest Information Center, Bear River Band, and Sinkyone. The Bear River Band Rancheria recommended a Cultural Resource Investigation to be conducted on the parcel. The applicant submitted a Cultural Resource Survey prepared by Archaeological Research and Supply Company dated May 2018. According to the survey there were no historic or prehistoric era resources located during the survey. The project has an ongoing condition to include inadvertent archaeological discovery language.
- f) According to the California National Diversity Database the site is mapped with a non-specific historical record of maple-leaved checkerbloom. The nearest Northern Spotted Owl (NSO) activity center is approximately 0.7 miles north of the project site, and the nearest positive observation is approximately 0.68 miles north of the project site. Mapped marbled murrelet mapped critical habitat is located approximately 100 feet south of the proposed cultivation site on the adjacent parcel owned by the California Department of Parks and Recreation (Humboldt Redwoods State Park). Due to the proximity of habitat, the project has been conditioned to limit noise exposure to 50 decibels at 100 feet from the noise source or the edge of habitat, whichever is closer. The project has also been conditioned to include requirements for keeping artificial light fully contained within structures such that no light escapes. The project was referred to the California Department of Fish and Wildlife and no response was received.
- g) The cannabis will be partially dry farmed, with supplemental water for irrigation provided by rainwater catchment. Rainwater will be captured from the roof of the existing metal pole building on site. The catchment area square footage of the main roof of the building is approximately 31,250 square feet.

The project area received approximately 28.8 inches of rainfall in 2020 (a substantial drought year) as recorded by the PRISM Climate Group. The rain catchment potential of the building's roof is approximately 561,039 gallons in a substantial drought year. Approximately 30,700 gallons of water will be required annually for irrigation. A total of 52,800 gallons of water storage is proposed.

- h) The subject parcels are situated within the mapped FEMA flood zone and are required to provide flood elevation certificates for structures utilized for cannabis activities, including the proposed greenhouses. The proposed greenhouses underwent a hydrostatic load study and will be kept up all year round due to each structure receiving a flood elevation certificate and the applicant's commitment to remove the greenhouse skins during the rainy season.

ZONING CLEARANCE CERTIFICATE AND SPECIAL PERMIT

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

EVIDENCE: a) General agriculture is a use type permitted in Agricultural Exclusive (AE) land use designation. The proposed cannabis cultivation, an agricultural product, is within land planned and zoned for agricultural purposes, consistent with the use of Open Space land for managed production of resources. The use of an agricultural parcel for commercial agriculture is consistent with the Open Space Plan and Open Space Action Program. Therefore, the project is consistent with and complimentary to the Open Space Plan and its Open Space Action Program.

- b) The proposed project would be located adjacent to Humboldt Redwoods State Park subject to the Humboldt Redwoods State Park General Plan 2001 (HRSPGP). As discussed in the staff report, the proposed project is not located within 600 feet of any designated recreational facilities and would not conflict with the Management Plan for Humboldt Redwoods State Park. The project would not cause any new erosion, wind

damage, elimination of wildlife corridors, loss of scenic beauty or reduction of quality habitat for plants and animals. The provisions for protection of heritage resources have been met through consultation with local tribal representatives. Therefore, the proposed project will not conflict with the HRSPGP. An exception to the requirement to maintain a 600-foot setback from public parks may be granted with the Special Permit that is being requested. The project was referred to Humboldt Redwoods State Park (HRSP). HRSP responded with a question regarding cannabis annual site inspections, which was addressed by staff. No concerns regarding the setback reduction associated with the project were expressed.

4. FINDING: The proposed development is consistent with the purposes of the existing Agriculture Exclusive (AE-F) zone in which the site is located.

- EVIDENCE:**
- a) The AE Zone is intended to be applied to areas of the County in which general agriculture is an allowable use.
 - b) All general agricultural uses are principally permitted in the AE zone.
 - c) The subject parcels are situated within the mapped FEMA flood zone and are required to provide flood elevation certificates for structures utilized for cannabis activities, including the proposed greenhouses. The proposed greenhouses underwent a hydrostatic load study and will be kept up all year round due to each structure receiving a flood elevation certificate and the applicant's commitment to remove the greenhouse skins during the rainy season.
 - d) Humboldt County Code section 314-55.4.8.2.1 allows up to 10,000 square feet of new outdoor cannabis cultivation on a parcel over 5 acres in size subject to approval of a Zoning Clearance Certificate. The application for 10,000 square feet of outdoor light-deprivation cultivation on a 5-acre parcel is consistent with this.

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

- EVIDENCE:**
- a) The CMMLUO allows new cannabis cultivation to be permitted in areas zoned AE (HCC 314-55.4.8.2.1).

- b) APNs 209-301-012 and 209-301-013 are each a separate legal parcel, created by a Lot Split approved by the Humboldt County Planning Commission on July 16, 1970. APNs 209-301-017 and 209-301-016 combined comprise one separate legal parcel legitimized by issuance of prior building permit 00-103 PH3.
- c) The applicant proposes to dry farm and utilize rainwater catchment for irrigation needs.
- d) The property is accessed via private driveway from Holmes Flat Road, a County maintained road.
- e) The slope of the land where cannabis will be cultivated is less than 15%.
- f) Cultivation will occur in an area that occupies less than 20% of the prime agricultural soils on the parcel.
- g) The location of the cultivation complies with setbacks required in Section 314-55.4.11.d. It is more than 30 feet from any property line, and more than 600 feet from any school, church, or Tribal Cultural Resource. The project as proposed does not meet setbacks to public lands and seeks a Special Permit for a setback reduction.

6. 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 cultivation permits and acres which may be approved in each of the County's Planning Watersheds.

EVIDENCE: a) The project site is located in the Lower Eel Planning Watershed, which under Resolution 18-43 is limited to 336 permits and 116 acres of cultivation. With the approval of this project the total approved cultivation permits in this Planning Watershed would be 77 and the total approved acres of cultivation would be 35.4.

LOT LINE ADJUSTMENT

7. FINDING: The Lot Line Adjustment application is complete

- EVIDENCE:** a) The applicant has submitted a completed and signed application form, copies of present owners' deeds, a preliminary title report, copies of the creation documents for the parcels, a written statement explaining the reason for the adjustment and a Lot Line Adjustment Map.
- 8. FINDING:** The project is consistent with the Subdivision Map Act.
- EVIDENCE:** a) APNs 209-301-012 and 209-301-013 are each a separate legal parcel, created by a Lot Split approved by the Humboldt County Planning Commission on July 16, 1970. APNs 209-301-017 and 209-301-016 combined comprise one separate legal parcel legitimized by issuance of prior building permit 00-103 PH3.
- 9. FINDING:** The project is consistent with the General Plan.
- EVIDENCE:** a) The Agricultural Exclusive (AE) designation applies to bottomland farms and lands that can be irrigated. Both resulting parcels will continue to be utilized for agricultural uses. The LLA is therefore consistent with the goals of the Land Use Element of the General Plan.
- 10. FINDING:** The project conforms to zoning and building ordinances.
- EVIDENCE:** a) All parcels are zoned AE-F (Agriculture Exclusive, Flood Hazard Area Combining Zone). The LLA will not affect the ability of the parcel to be developed consistent with building and zoning requirements.
- b) The parcels are legally non-conforming as they do not meet minimum parcel size standards. The LLA will decrease the non-conformance with the zoning code.
- c) All minimum lot line setbacks are met.

ADDITIONAL REQUIRED FINDINGS

- 11. FINDING:** The proposed project will not create public health, welfare, or safety problems.
- EVIDENCE:** a) The proposed project complies with all development standards of the zone district which are intended to protect public health, safety and welfare. There is no evidence that the project will be materially injurious to properties or improvements in the vicinity.

- b) The site is located on a road that that meets the functional capacity for the project needs.
- c) The proposed cannabis will not be in a location where there is a sensitive receptor such as a school, church, or other use which may be sensitive to cannabis cultivation. Approving cultivation on this site and the other sites which have been approved or are in the application process will not change the character of the area.
- d) The applicant proposes to dry farm and utilize rainwater catchment for irrigation needs.
- e) The project will not result in changes in land use and will not create a new parcel.
- f) All responding agencies have either responded with comments, no concerns, or recommended conditional approval.

12. FINDING:

The proposed development does not reduce the residential density for any parcel below that utilized by the Department of Housing and Community Development in determining compliance with housing element law.

EVIDENCE:

- a) The parcels were not included in the housing inventory of Humboldt County's 2019 Housing Element. The approval of the project will not conflict with the ability for a residence to be constructed on the resulting parcels.

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 Zoning Clearance Certificate and Special Permit (PLN-11603-ZCC), and Lot Line Adjustment (PLN-2020-16893) for Cameron Moore, based upon the Findings and Evidence and subject to the conditions of approval attached hereto as Attachment 1A.

Adopted after review and consideration of all the evidence on **March 7, 2024**.

I, John 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.



John H. Ford, Zoning Administrator

CONDITIONS OF APPROVAL

APPROVAL OF THE PROJECT IS CONDITIONED ON THE FOLLOWING TERMS AND REQUIREMENTS IN SECTION "A" WHICH MUST BE SATISFIED BEFORE REALEASE OF THE BUILDING PERMITS OR THE INITIATION OF OPERATION.

A. Conditions

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 material basis as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors. The Planning and Building Department will provide a bill to the applicant after the decision. 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 Division, 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. Payment shall be made to the Humboldt County Planning Division, 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. The Department will file the NOD and will charge this cost to the project.
5. The applicant shall secure permits for all structures related to the cannabis cultivation and other commercial cannabis activity, including the cannabis cultivation greenhouses and nursery greenhouse. The plans submitted for building permit approval shall be consistent with the project description and the approved project site plan.
6. A water meter shall be installed at the outlet of the feed tank and the applicant shall be prepared to maintain monthly records of water usage and provide these to the Department during annual inspections.
7. The applicant shall be compliant with the County of Humboldt's Certified Unified Program Agency (CUPA) requirements regarding hazardous materials. A written

verification of compliance shall be required before any provisional permits may be finalized. Ongoing proof of compliance with this condition shall be required at each annual inspection in order to keep the permit valid.

8. The applicant shall execute and file with the Planning Division the statement titled, "Notice and Acknowledgment regarding Agricultural Activities in Humboldt County," ("Right to Farm" ordinance) as required by the HCC and available at the Planning Division.
9. Prior to initiating commercial cannabis cultivation or associated activities the applicant shall obtain a Business License from the Humboldt County Tax Collector.
10. Per the Department of Public Works Memo dated September 7, 2023, the comers of the new property lines shall be monumented, pursuant to Section 325.5-9 of the Humboldt County Code. A Record of Survey shall be filed unless this requirement is waived by the County Surveyor. The requirement for a Record of Survey may be waived if, in the opinion of the County Surveyor, any one of the following findings can be made:
 - a. The new boundary line(s) are already adequately monumented of record.
 - b. The new boundary line(s) can be accurately described from Government Subdivision Sections or aliquot parts thereof.
 - c. The new boundary line(s) can be accurately described and located from existing monuments of record.
 - d. The new boundary is based upon physical features (i.e. roads, creeks, etc.) which themselves monument the line.
11. When a Record of Survey is not required as part of a Lot Line Adjustment, the Lot Line Adjustment shall include a graphical (8.5"x11") exhibit depicting the resulting lot configuration and is recorded as part of the Lot Line Adjustment document.
12. A Notice of Lot Line Adjustment shall be recorded for each resultant parcel. The following information must be submitted to the Planning Department for review prior to recordation:
 - a. A copy of the existing deeds and the deeds to be recorded for the adjusted parcels. If the property is not changing ownership, only the existing deeds are required.
 - b. A Preliminary Title Report regarding ownership of parcels involved. The title report documents must be current at time of submittal. Depending on the date of the report preparation, updating may be necessary.
 - c. A completed "Notice of Lot Line Adjustment and Certificate of Subdivision Compliance" form for each parcel.

- d. Document review fees as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors (currently \$445.00 per notice plus \$300.00 for each additional legal description plus applicable recordation fees).
13. When the parcels being adjusted are not held in common ownership, copies of the executed deeds (signed but not recorded) prepared by a qualified individual must be submitted for review by the Planning and Public Works Departments.
14. A map revision fee as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors (currently \$106.00) as required by the County Assessor shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka. The check shall be made payable to the "Humboldt County Planning Division". The fee is required to cover the Assessor's cost in updating the parcel boundaries.
15. The applicant shall comply with the provisions of Section 321-14 of the Humboldt County Code concerning reapportionment or payment of special assessments, if applicable.
16. Applicant shall provide documentation from the County of Humboldt Tax Collector that all property taxes for the parcels involved in the Lot Line Adjustment have been paid in full if payable, or secured if not yet payable, to the satisfaction of the County Tax Collector's Office, and all special assessments on the property must be paid or reapportioned to the satisfaction of the affected assessment district. Please contact the Tax Collector's Office approximately three to four weeks prior to filing the Notice of Lot Line Adjustment to satisfy this condition. *Note: The purpose of this condition is to avoid possible title consequences in the event of a tax default and sale affecting the owner's real property interest. If property is acquired as a result of a Lot Line Adjustment and said property has delinquent taxes, the property cannot be combined for tax purposes. This means, that the owner will receive two or more tax bills, and penalties and interest will continue to accrue against the land which has delinquent taxes. If five or more years have elapsed since the taxes on the subject property were declared in default, such property will be sold by the County Tax Collector for non-payment of delinquent taxes unless the amount required to redeem the property is paid before sale. Property combined by lot line adjustment but "divided" by tax sale will require separate demonstration of subdivision compliance of all resultant parcels prior to the County's issuance of a building permit or other grant of authority to develop the subject properties.*
17. The applicant shall pave the existing driveway apron for a minimum width of 18 feet and a length of 50 feet where it intersects Holmes Flat Road. The applicant shall apply for and obtain an encroachment permit prior to commencement of any work in the

County maintained right of way.

18. The driveway that intersects Holmes Flat Road shall be maintained in accordance with County Code Section 341-1 (Sight Visibility Ordinance). This condition shall be completed to the satisfaction of the Department of Public Works prior to commencing operations, final sign-off for a building permit, or Public Works approval for a business license.
19. All fences and gates shall be located outside 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. This condition shall be completed to the satisfaction of the Department of Public Works prior to commencing operations, final sign-off for a building permit, or Public Works approval for a business license.

B. 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 Marbled Murrelet or Northern Spotted Owl species as required to meet the performance standards for noise set by Department Policy Statement No. 16-005 clarifying CMMLUO Section 55.4.11 (o) requirements. The combined noise levels measured at 100 feet or the edge of habitat, whichever is closer, shall be at or below 50 decibels. Conformance will be evaluated using current auditory disturbance guidance prepared by the United State Fish and Wildlife Service, and further consultation where necessary. A building permit shall be obtained should any structures be necessary for noise attenuation.
2. All lighting used in the propagation greenhouse shall be fully shielded and designed and installed to eliminate light leakage that could lead be visible from all property boundaries between sunset and sunrise. Security lighting shall be motion activated and comply with the International Dark-Sky Association standards and Fixture Seal of Approval Program; see: <https://www.darksky.org/our-work/lighting/lighting-for-citizens/lighting-basics/>. Standards include but are not limited to the following, 1) light shall be shielded and downward facing, 2) shall consist of Low-Pressure Sodium (LPS) light or low spectrum Light Emitting Diodes (LED) with a color temperature of 3000 kelvins or less and 3) only placed where needed.
3. Should the Humboldt County Planning Division receive complaints that the noise or lighting is not complying with the standards listed above in items B.1. and B.2., within ten (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.

4. Prohibition of use of synthetic netting. To minimize the risk of wildlife entrapment, Permittee shall not use any cultivation or erosion control 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.
5. All refuse shall be contained in wildlife proof storage containers, at all times, and disposed of at an authorized waste management facility.
6. Should any wildlife be encountered during work activities, the wildlife shall not be disturbed and be allowed to leave the work site unharmed.
7. The use of anticoagulant rodenticide is prohibited.
8. The applicant shall provide portable toilets and handwashing stations for employees. The applicant shall furnish receipts or other documentation during annual inspections for the continual use of portable toilets for employees.
9. The applicant shall maintain water use meter(s) to measure the amount of water used for the cultivation and annual metering reports shall be available during yearly compliance inspections. If the metered use indicates that the yearly water demands are not being met, the applicant shall install the appropriate amount of additional catchment storage to accommodate the yearly demand.
10. 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.
11. All components of the project shall be developed, operated, and maintained in conformance with the Project Description, the approved Site Plan, the Operations Plan, 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.
12. Cannabis cultivation and other commercial cannabis activity shall be conducted in compliance with all laws and regulations as set forth in the CMMLUO and MAUCRSA, as applicable to the permit type.
13. 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.

14. Confinement of the area of cannabis cultivation, processing, manufacture, or distribution to the locations depicted on the approved site plan. The commercial cannabis activity shall be set back at least 30 feet from any property line, and 600 feet from any school, school bus stop, church or other place of religious worship, or tribal cultural resources, except where a reduction to this setback has been approved pursuant to Section 55.4.11(d).
15. Maintain enrollment in Tier 1, or 2 certifications with State Water Resource Control Board (SWRCB) Order No. WQ 2019-0001-DWQ, if applicable, or any substantially equivalent rule that may be subsequently adopted by the County of Humboldt or other responsible agency.
16. Applicant shall have an easily accessible material safety data sheet (MSDS) or safety data sheet (SOS) for all chemicals and hazardous materials on site. Posted (NFPA 704) Placard clearly visible to emergency responders.
17. 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).
18. Refrain from the improper storage or use of any fuels, fertilizer, pesticide, fungicide, rodenticide, or herbicide.
19. Pay all applicable application, review for conformance with conditions and annual inspection fees.
20. 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.
21. The master logbooks maintained by the applicant to track production and sales shall be maintained for inspection by the County.
22. Pay all applicable taxes as required by the Humboldt County Commercial Marijuana Cultivation Tax Ordinance (Humboldt County Code Section 719-1 et seq.).

Performance Standards for Cultivation and Processing Operations

23. Pursuant to Business and Professions Code section 26051.5(a)(8), an applicant seeking a cultivation license shall "provide a statement declaring the applicant is an 'agricultural employer,' as defined in the Alatorre-Zenovich-Dunlap-Berman Agricultural Labor

Relations Act of 1975 (Part 3.5 commencing with Section 1140) of Division 2 of the Labor Code), to the extent not prohibited by law.”

24. 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).
25. 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.
26. 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; and
 - (2) Employee accident reporting and investigation policies; and
 - (3) Fire prevention; and
 - (4) Hazard communication policies, including maintenance of material safety data sheets (MSDS); and
 - (5) Materials handling policies; and
 - (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; and
 - (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.
27. 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.
 28. Term of Commercial Cannabis Activity Permits. Any Commercial Cannabis Cultivation permit issued pursuant to the CMMLUO 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.
 29. 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 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.
 30. 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.
 31. 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.

32. Transfers. Transfer of any leases or permits approved by this project is subject to the review and approval of the Planning Director for conformance with CMMLUO eligibility requirements and agreement to permit terms and acknowledgments. The fee for required permit transfer review shall accompany the request. The request shall include the following information:
- a. Identifying information for the new owner(s) and management as required in an initial permit application; and
 - b. A written acknowledgment by the new owner in accordance as required for the initial permit application; and
 - c. The specific date on which the transfer is to occur; and
 - d. Acknowledgement of full responsibility for complying with the existing permit; and
 - e. Execution of an Affidavit of Non-diversion of Commercial Cannabis.
33. 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. The Lot Line Adjustment permit shall expire and become null and void at the expiration of three (3) years after all appeal periods have lapsed (see "Effective Date"). This approval may be extended in accordance with the Humboldt County Code.
2. Approval of the Lot Line Adjustment does not guarantee that developable parcels will result. Final approval for any development will depend on demonstration of conformance with site suitability requirements in effect at the time development is proposed. Issuance of a building permit will require demonstration of all applicable development standards at the time a permit is requested.
3. To reduce costs the applicant is encouraged to bring in written evidence of compliance with all of the items listed as conditions of approval for the Lot Line Adjustment in this Exhibit that are administered by the Planning Division (Namely: items A10-A16) as a package at least four (4) weeks before the desired date for recordation. Post application assistance by the Planner on Duty, or by the Assigned Planner, with prior appointment will be subject to a Special Services Fee for planning services billed at the County's current burdened hourly rate. There is no charge for the first post project approval meeting. Please contact the Planning Division at (707) 445-7541 for copies of all required forms and written instructions.
4. If cultural resources are encountered during construction activities, the contractor on-

site shall cease all work in the immediate area and within a 100-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.



Holmes Flat Farms, Inc.
Operations Plan
Apps 11603

This application is processed under 1.0 and is congruent with a Lot Line Adjustment PLN-2020-16893.

Water Source, Storage, Irrigation Plan, and Project Water Usage

Water will be sourced from a tank farm that is filled by rain captured off the roof of the existing open metal pole barn on site. The open metal pole barn provides approximately 48,125 square feet of surface area for rain catchment. The tank farm will consist of eleven 4,800-gallon hard tanks, totaling 52,800 gallons of water storage for the immature propagation ancillary nursery and cultivation canopy.

Cannabis will be partially dry farmed as the parcel sits within the Eel River floodplain. Plants will be watered every 6-7 days after they are established in the final planting destination. 700 gallons of water will be used for each watering for each 20x100 greenhouse (2000 sf).

Compost teas will be brewed as well as foliar sprays. No inputs or cleaning products will be applied through the irrigation system.

Water conservation and containment measures will be implemented including the use of hand and drip irrigation to prevent excessive water use and the maintenance of a stable vegetated buffer between the cultivation area and the riparian zone.

Water will be pumped from the tank farm to a smaller feed tank and then gravity fed to the greenhouses.

Water Usage

Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
600	1500	1500	2000	3000	3000	4200	5000	5000	2800	1500	600	30,700 per year

Erosion Control and Site Drainage

The parcel is not within a streamside management area and the cultivation facility will meet and exceed all setbacks necessary to comply with local and State requirements.

Organic methods, nutrients, and amendments will be used on site, and no chemicals or salts will be added into the native soils.

Description of Cultivation Activities

The facility will consist of 10,000 square feet of new outdoor light-deprivation cultivation in five 20 x 100 greenhouses, totaling 2,000 square feet for each greenhouse. One 1,000 square-foot propagation nursery greenhouse is also proposed.

The proposed greenhouses underwent a hydrostatic load study and will be kept up all year round due to each structure having a flood elevation certificate and the proposed removal of the greenhouse skins during the winter.

There will be LED lights utilized within the propagation nursery. All light within the propagation nursery will be shielded with blackout tarps between dusk and dawn and adhere to International Dark Sky Association Standards so no light escapes from the greenhouse after night fall. Heating pads will also be used to keep plants warm and moderate temperature while propagating and developing.

Two 3,000-watt solar panel trailers will be the prime source of energy to fuel the operation's energy usage. In case of a power outage, a generator will be used for emergency purposes only and will be enrolled in the Humboldt County CUPA program.

Processing

Mature cannabis will be either processed through licensed fresh frozen extraction or licensed manufacturers. An offsite licensed processor for trimming can also be used, through Holmes Flat Farms, Inc distribution transport only license. Cannabis will be hung in the greenhouses for drying then bucked prior to transfer to manufacturing or trimming facilities.

Generators, Noise Source Assessments, and Mitigation Plan

A generator will be used in emergencies only. Noises will stay below 50dB at 100 feet from the source with onsite functionality, including solar fans, pumps, and machinery.

Storm water Management Plan

The project will operate within the requirements of a Site Management Plan per the State Waterboard guidelines.

Invasive Species Control Plan

Invasive Species Control Plans have been adapted for this specific area by multiple biologists throughout the years. There are multiple reports finding that no sensitive or rare plants around the site would be disturbed by project activities. The property owner maintains invasive plants such as bull thistle and Himalayan blackberries through his own best management practices of his site by weed whacking, using animal controls and adaptations, and composting appropriately.

Materials Management Plan

Waste bins with lids will be kept adjacent to cultivation sites and emptied out the day they are filled up or weekly.

No fertilizers or pesticides will be stored onsite. Waste materials will be stored in appropriate storage containers and self-hauled off weekly to a licensed waste transfer station.

Sewage Disposal Plan /On-site Wastewater Treatment System Information & Documentation

A portable toilet with a hand washing station will be on-site for employee use.

Soils Management Plan

Soil will be fed with brewed compost teas and top dressings that are nutrient rich and optimal for soil health. Compost, worm castings, bat guano, and trace minerals will be used on this site. The soil will be amended and re-used annually.

The observation of soil, a comparison of crop yields, observation of crop health and a soil testing service will be utilized to check nutrient levels and provide recommendations for proper amendments to re-condition the soil. Soil will not leave the site and will be composted on-site. Soil erosion mitigation efforts will include the use of seeding, waddles, rice straw, and trenching on the premises to maintain any erosion that does occur.

Weed and Pest Management Plan

The weed control methods of hand-pulling, mulching, and weed eating will be used on site. The cultivation site is not affected by any known pests or pathogens.

The following strategies will be used to control pest and pathogen damage to the crops: Crop rotation, plant spacing, soil balancing, compost tea use, solarization, companion planting, hand picking, genetic resistance, monitoring, physical removal, habitat for natural enemies, release of pest predators, timing of planting, physical barriers, animal repellents and insect repellents.

Parking & Employee Plan

See plot plan for proposed parking locations. One parking space will be provided for each expected employee. There will be one employee on site full-time and a maximum of two on site seasonally.

Employee labor laws will be posted in conspicuous view before entering the premises, and employee handbooks will be kept on site with all standard operating procedures for emergencies and on-site knowledge.

Eye washing machines will be installed and kept on the outside of a greenhouse. This ensures any applicant has the immediate accessibility to treat a potential risk problem before an ambulance can reach the premises.

Energy Plan

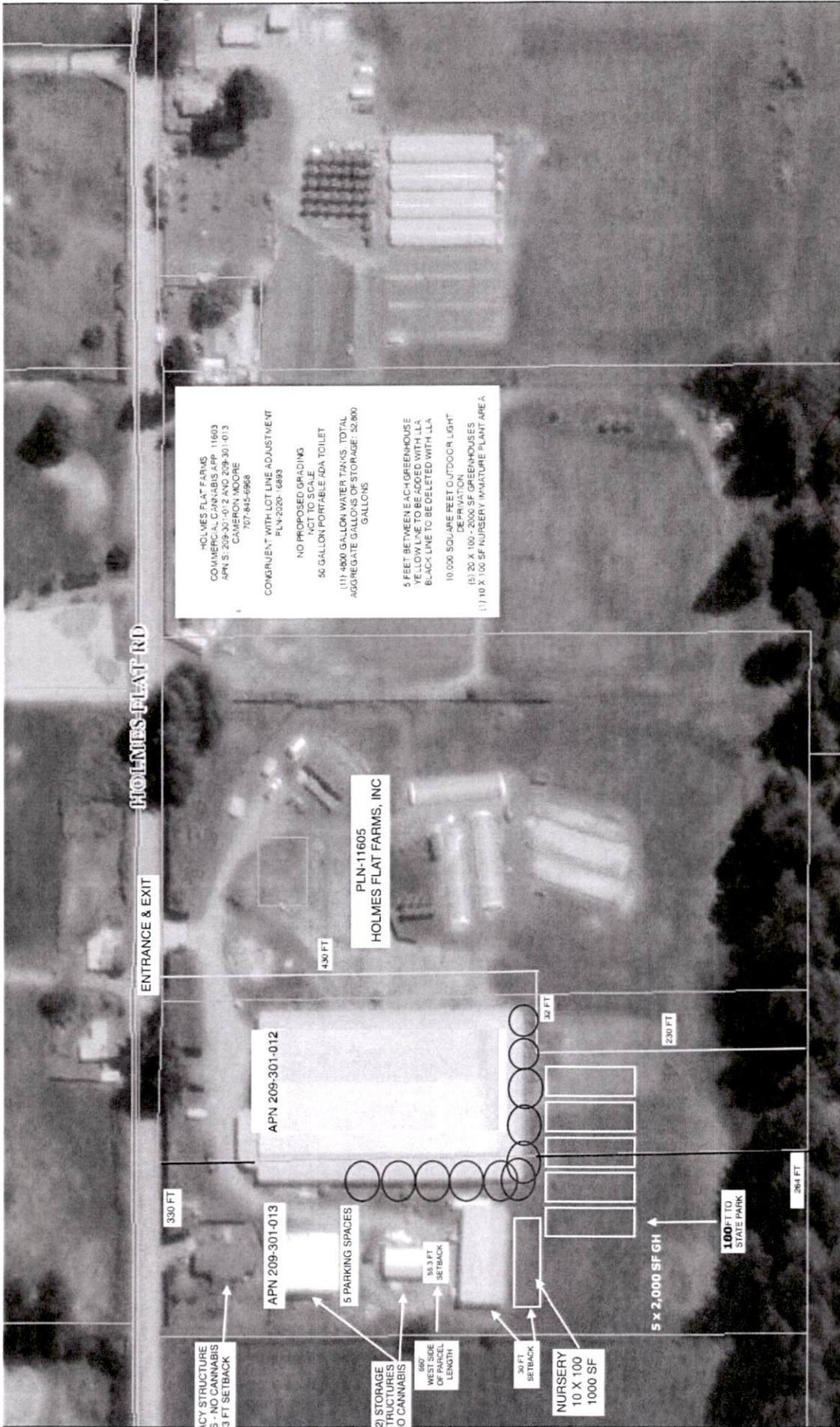
Holmes Flat Farms, LLC will use solar fans and will source power from solar. All lights used for propagation will be LED.

Security Plan The premises is behind a locked gate.

Neighborhood watch and guard dogs will be implemented. There will be no security lighting, security cameras, or security alarms. All buildings and structures will be locked and have access control.

Noise Source Assessment and Mitigation Plan

Ventilated structures will be used to mitigate and buffer noise and disturbance to natural surroundings and habitat.



HOLMES-FLAT RD

ENTRANCE & EXIT

LEGACY STRUCTURE
OTWS - NO CANNABIS
58.3 FT SETBACK

APN 209-301-013

5 PARKING SPACES

(2) STORAGE
STRUCTURES
NO CANNABIS
660'
WEST SIDE
OF PARCEL
LENGTH

NURSERY
10 X 100
1000 SF

5 x 2,000 SF GH

100-FT TO
STATE PARK

APN 209-301-012

PLN-11605
HOLMES FLAT FARMS, INC

4.30 FT

32 FT

230 FT

264 FT

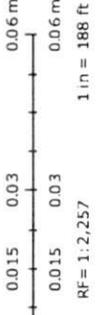
HOLMES FLAT FARMS
COMMERCIAL CANNABIS APP - 11603
APN S: 209-301-012 AND 209-301-013
CAMERON MOORE
707-845-6968

CONGRUENT WITH LOT LINE ADJUSTMENT
PLN-2020-16893
NO PROPOSED GRADING
NOT TO SCALE
50 GALLON PORTABLE ADA TOILET

(1) 4800 GALLON WATER TANKS, TOTAL
AGGREGATE GALLONS OF STORAGE: 92,800
GALLONS

5 FEET BETWEEN EACH GREENHOUSE
YELLOW LINE TO BE ADDED WITH LLA
BLACK LINE TO BE DELETED WITH LLA

10,000 SQUARE FEET OUTDOOR LIGHT
DEPRIVATION GREENHOUSES
(5) 26 X 100' SF GREENHOUSES
(1) 10 X 100 SF NURSERY MATIURE PLANT AREA



APPROVED
MAR - 7 2024
Humboldt County
PLANNING

Sources: Humboldt County GIS
Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user
community
Source: Esri, Maxar, Earthstar, Geographics, and the GIS User Community

- Highways and Roads**
- Principal Arterials
 - Minor Arterials
 - Major Collectors
 - Minor Collectors
 - Local Roads
- Blue Line Streams**
- Major River or Stream
 - Perennial 1-3
 - Perennial >4
- City Boundary**
- Counties
 - Parcels (no APN labels)
- Intermittent**
- Subsurface

Humboldt County WebGI
Humboldt County Planning and Building Department
12/10/2023, 1:05:38 PM
Web AppBuilder 2.0 for ArcGIS

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

Received 12/10/2023 HCP&B

