

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

Resolution Number: 25-012

Record Number: PLN-12990-CUP

Assessor's Parcel Number: 221-071-020

Resolution by the Planning Commission of the County of Humboldt certifying compliance with the California Environmental Quality Act and conditionally approving the Humboldt Sanctuary Farm, LLC Conditional Use Permit.

WHEREAS, Humboldt Sanctuary Farm, LLC provided an application and evidence in support of approving a Conditional Use Permit for 28,500 square feet of existing outdoor commercial cannabis cultivation with onsite relocation supported by a 1,900 square foot ancillary nursery; and

WHEREAS, the 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 project does not present substantial changes that would require major revisions to the previous 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 Section 15162(c) of CEQA Guidelines; and

WHEREAS, the Humboldt County Planning Commission held a duly-noticed public hearing on March 20, 2025 and reviewed, considered, and discussed the application for a Conditional Use Permit and reviewed and considered all evidence and testimony presented at the hearing.

Now, THEREFORE BE IT RESOLVED, that the Planning Commission makes all the following findings:

- 1. FINDING:** **Project Description:** A Conditional Use Permit for 28,500 square feet of existing outdoor commercial cannabis cultivation supported by a 1,900 square foot ancillary nursery. Estimated annual water usage is 300,000 gallons and is sourced from rainwater catchment. Water storage consists of an approximately 600,000-gallon pond and 9,900 gallons in tanks. Onsite processing is proposed, and electricity is provided by solar and generators. The project is conditioned to transition to renewable energy by January 1, 2026, reserving generator use for emergencies only. The project includes onsite relocation and restoration.

EVIDENCE: a) Project File: PLN-12990-CUP

2. FINDING:

CEQA. The project complies with the requirements of the California Environmental Quality Act. The Humboldt County Planning Commission has considered the Mitigated Negative Declaration previously adopted for the Commercial Medical Marijuana Land Use Ordinance as well as the Addendum to the Mitigated Negative Declaration that was prepared for the project pursuant to Section 15164 of the CEQA guidelines.

EVIDENCE:

- a) Addendum prepared for the proposed project.
- b) The proposed project does not present substantial changes that would require major revisions to the previous MND. No new information of substantial importance that was not known and could not be known at the time was presented as described by section 15162(c) of CEQA Guidelines.
- c) The project is conditioned to demonstrate compliance with the State Water Board Cannabis General Order for Waste Discharge by providing a copy of the Notice of Applicability and a Site Management Plan.
- d) The nearest mapped Northern Spotted Owl activity centers are (HUM0976) approximately 2.2 miles to the north and (HUM0699) approximately 3 miles to the west. The proposed project will utilize the pre-existing disturbed areas created prior to baseline. The project has been conditioned to ensure supplemental lighting associated with the nursery adheres to Dark Sky Association standards including security lighting. 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.
- e) A review of the California Natural Diversity Database indicates the likely presence of the Giant Fawn Lily (*Erythronium oregonum*) a rare, ranked plant. A survey conducted by a qualified professional determined that the Giant Fawn Lily is not present in the cultivation areas.
- f) A Road Evaluation Report prepared by an engineer concludes the route leading to the subject parcel can accommodate expected traffic if certain improvements are made according to project conditions.

- g) The continued cultivation of commercial cannabis will not result in a net timber conversion.
- h) Consultation with the Bear River Band of the Rohnerville Rancheria resulted in the standard inadvertent discovery protocol as a condition of approval.

FINDINGS FOR CONDITIONAL USE PERMIT

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

EVIDENCE: a) General agriculture is a use type permitted in the Residential Agriculture (RA) 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.

4. FINDING: The proposed development is consistent with the purposes of the existing Unclassified Zone (U) zone in which the site is located.

EVIDENCE: a) The Unclassified Zone (U) zone is intended to be applied to areas of the County that have not been sufficiently studied to justify precise zoning classifications.

b) General agriculture is a principally permitted use in the Unclassified (U) zone.

c) Humboldt County Code section 314-55.4.8.2.2 allows cultivation of up to 43,560 square feet of existing outdoor cannabis cultivation and up to 22,000 square feet of existing mixed-light commercial cannabis on a parcel over 1 acre subject to approval of a Conditional Use Permit and a determination that the cultivation was in existence prior to January 1, 2016. The application for 28,500 square feet of existing outdoor commercial cannabis cultivation on a 57-acre parcel is consistent with this and with the cultivation area verification conducted by staff.

- d) All cultivation is at least 30 feet from all property lines and there are no public parks, churches, school bus stops or other sensitive receptors within 600 feet of the cultivation areas.

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

- EVIDENCE:**
- a) The CMMLUO allows existing cannabis cultivation to be permitted in areas zoned Unclassified (U) (HCC 314-55.4.8.2.2).
 - b) The parcel was created in compliance with all applicable state and local subdivision regulations as certified in the Certificate of Subdivision Compliance (2023-001750) February 7, 2023.
 - c) The project will obtain water from rainwater catchment, an eligible water source. The applicant has provided a rainwater catchment analysis demonstrating sufficient irrigation water can be collected in a low rainfall year.
 - d) A Road Evaluation Report conducted by an engineer found the access roads can accommodate the expected traffic if recommended improvements are made according to the permit conditions.
 - e) The slope of the land where existing cannabis will be cultivated is 0% to 30%. No new grading will occur.
 - f) The continued cultivation of cannabis will not result in the net conversion of timberland.
 - g) The location of the cultivation complies with all setbacks required in Section 314-55.4.11.d. It is more than 30 feet from any property line and more than 600 feet from any school, church, public park, or Tribal Cultural Resource.

6. FINDING: The continued cultivation of 28,500 square feet of existing 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) The site is located on road that has been found to safely accommodate the amount of traffic generated by the proposed cannabis cultivation if recommended improvements are made

consistent with project conditions.

- b) The site is in a rural part of the County where the typical parcel size is over 40 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 which may be sensitive to cannabis cultivation. Approving cultivation on this site and the other sites which have been approved or are in the application process will not change the character of the area due to the large parcel sizes in the area.
- c) Irrigation water will come from rainwater catchment, an eligible water source.
- d) Provisions have been made in the applicant's proposal to protect water quality and thus runoff to adjacent property and infiltration of water to groundwater resources will not be affected.

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

EVIDENCE: a) The parcel was not included in the housing inventory of Humboldt County's 2019 Housing Element but does have the potential to support one housing unit. The approval of cannabis cultivation on this parcel will not conflict with the ability for a residence to be constructed on this parcel.

8. FINDING: Approval of this project is consistent with Humboldt County Board of Supervisors Resolution No. 18-43 which established a limit on the number of permits and acres which may be approved in each of the County's Planning Watersheds.

EVIDENCE: a) The project site is in the South Fork Eel Planning Watershed, which under Resolution 18-43 is limited to 730 permits and 251 acres of cultivation. With the approval of this Conditional Use Permit, the total approved permits in this Planning Watershed would be 305 permits and the total approved acres would be approximately 89.18 acres of cultivation.

DECISION

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

- Adopt the findings set forth in this resolution; and
- Conditionally approves the Conditional Use Permit for Humboldt Sanctuary Farm, LLC subject to the conditions of approval attached hereto as Attachment 1.

Adopted after review and consideration of all the evidence on **March 20, 2025**.

The motion was made by COMMISSIONER THOMAS MULDER and second by COMMISSIONER SARAH WEST and the following vote:

AYES: COMMISSIONERS: Thomas Mulder, Sarah West, Iver Skavdal, Lorna McFarlane, Jerome Qiriazzi, Peggy O'Neill

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS: Noah Levy

ABSTAIN: COMMISSIONERS:

DECISION: Motion carried 6/0

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



John H. Ford, Director
Planning and Building Department

**CONDITIONS OF APPROVAL
PLN-12990-CUP**

APPROVAL OF THE CONDITIONAL USE PERMIT IS CONDITIONED ON THE FOLLOWING TERMS AND REQUIREMENTS.

A. Conditions subject to the compliance agreement must be satisfied before the provisional cannabis cultivation permit is no longer considered provisional. This section also includes conditions that must be completed within specified time frames or completed prior to commencing cultivation.

1. Within 60 days of the effective date of permit approval, the permittee shall execute a Compliance Agreement with the Humboldt County Planning and Building Department described under Conditions of Approval **A10** through **A11**. All activities described in the agreement must be completed to the satisfaction of the Planning and Building Department before the permit may be finalized and no longer considered provisional.
2. Within two weeks of the effective date of the project, the permittee shall provide documentation demonstrating that:
 - a. A minor amendment to the LSAA has been provided to CDFW to add a point of diversion for the pond.
 - b. Provide an invasive species management plan prepared by a qualified professional.
3. Within 60 days of the effective date of project approval, the permittee shall execute and file with the Planning Division the statement titled, "Notice and Acknowledgment regarding Agricultural Activities in Humboldt County," ("Right to Farm" ordinance) as required by the HCC and available at the Planning and Building Department.
4. Within 60 days of the effective date of project approval, the permittee shall pay a conformance review deposit as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors. The permittee is responsible for costs for post-approval review for determining project conformance with conditions. Payment shall be made to the Humboldt County Planning Division, 3015 H Street, Eureka. Permit conformance with conditions must be demonstrated prior to release of building permit or initiation of use and at time of annual inspection.

5. Within 90 days from the effective date of project approval, the permittee shall provide an update or supplement to the Site Plan providing the following:
 - a. Indicate which areas / structures are not used or associated with the cannabis operation so they may be excluded from annual inspections.
 - b. Depict the location of historic Cultivation Area #4
 - c. More clearly depict the location of historic Cultivation Area #1 / Personal use cannabis garden.
 - d. Accurately depict the stream classification of the watercourse south of Cultivation Area #2.
 - e. Accurately depict the location of property lines and provide appropriate annotations regarding setbacks.
6. Prior to resuming cultivation, the permittee shall install and maintain water meter(s) and monthly water usage logbooks to track water usage for cannabis irrigation. Records must be kept of monthly usage and made available during annual inspections.
7. Prior to resuming cultivation, the permittee shall demonstrate enrollment in State Water Board General Order No. WQ 2019-0001-DWQ by providing a copy of their Notice of Applicability and Site Management Plan.
8. If it is determined that portions of Cultivation Area #2 are within the state set back, the permittee will need to apply for a permit modification to reduce or relocate the portions of Cultivation Area #2 that do not comply.
9. Prior to conducting onsite processing in the form of trimming or packaging, the permittee shall provide documentation demonstrating an approved wastewater system connected to the processing building that is adequate to support proposed staffing. This documentation shall be to the satisfaction of the Division of Environmental Health and the Planning and Building Department. Processing must occur offsite at a licensed facility until adequate wastewater and commercial building occupancy are reviewed and approved.
10. The permittee shall obtain permits or exemptions for all structures associated with the cannabis operation.

11. The permittee shall provide documentation demonstrating that the recommendations of the engineer in the Road Evaluation (Attachment 4G) have been or are being implemented. The permittee shall provide documentation that they are a member of the road maintenance association and/or contributing a fair share of the cost of implementing the engineer's recommendations.
12. Prior to resuming cultivation, the permittee shall provide documentation demonstrating that all legacy cannabis infrastructure, including but not limited to abandoned water lines, have been removed from former cultivation area #4 as depicted in Attachment 4E.
13. No later than January 1, 2026, all electricity used in the cannabis operation shall be sourced from renewable energy sources reserving generators for emergency use only.

B. General Conditions

1. The cultivation area is limited to the amounts and type as described in the staff report and site plan. Cultivation area is limited to the proportion of irrigation water available from approved sources. If available irrigation water is less than the annual water budget, then the amount of cultivation will be reduced accordingly. Domestic water or other water sources shall not be used.
2. No new grading is authorized.
3. An additional survey for the Giant Fawn Lily is required if any new ground disturbance, relocation, reconfiguration, or placement of structures is proposed to occur outside the areas surveyed in and around Cultivation Areas #2 and #3 in April 2019 (Attachment 4C).
4. Portable toilets may be used to support cultivation operations (but not processing in the form of trimming or packaging). Records of the provision of portable toilets must be kept and made available upon request during annual inspections.
5. To maintain compliance with the Streamside Management Area Ordinance, a dense vegetation buffer to the south of Cultivation Area #2 shall be maintained for the life of the project.

6. No timber conversion is authorized. The six greenhouse structures in Cultivation Area #3 must be placed at least 30 feet from existing trees for fire safe purposes. If a Registered Professional Forester determines tree removal is needed to protect the structures, then one of the following must occur:
 - a. Relocate the structure to avoid tree removal; OR
 - b. Remove the structure and convert to a compatible use (e.g. remove greenhouse and convert to full sun cultivation); OR
 - c. Provide additional biological assessment conducted by a qualified professional demonstrating to the satisfaction of the Planning and Building Department and CDFW that the tree removal will not have a significant impact on habitat or species or sensitive communities nor will result in timber conversion.
7. After January 1, 2026, generator use is restricted to emergencies only.
8. A Notice of Determination (NOD) will be prepared and filed with the County Clerk for this project in accordance with the State CEQA Guidelines. The Department will file the NOD and the applicant is responsible for this cost to the project.
9. The applicant is responsible for obtaining all necessary County and State permits and licenses, and for meeting all requirements set forth by other regulatory agencies.
10. The applicant shall be compliant with the County of Humboldt's Certified Unified Program Agency (CUPA) requirements regarding hazardous materials. A written verification of compliance shall be required before any provisional permits may be finalized. Ongoing proof of compliance with this condition shall be required at each annual inspection to keep the permit valid.
11. The applicant is required to pay for permit processing on a time and material basis as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors. The Planning and Building Department will provide a bill to the applicant after the decision. All outstanding planning fees to cover the processing of the application to decision by the Hearing Officer shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka.

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

1. If cultural resources are encountered during construction activities, the contractor on site shall cease all work in the immediate area and within a 50-foot buffer of the discovery location. A qualified archaeologist and the appropriate Tribal Historic Preservation Officer(s) are to be contacted to evaluate the discovery and, in consultation with the applicant and the lead agency, develop a treatment plan in any instance where significant impacts cannot be avoided. Prehistoric materials may include obsidian or chert flakes, tools, locally darkened midden soils, ground-stone artifacts, shellfish or faunal remains, and human burials. If human remains are found, California Health and Safety Code 7050.5 requires that the County Coroner be contacted immediately at 707-445-7242. If the Coroner determines the remains to be Native American, the Native American Heritage Commission will then be contacted by the Coroner to determine appropriate treatment of the remains pursuant to Public Resources Code (PRC) Section 5097.98. Violators shall be prosecuted in accordance with PRC Section 5097.99.
2. The combination of background, generator and greenhouse fan or other operational equipment created noise must not result in the harassment of Northern Spotted Owl species as required to meet the performance standards for noise set by Department Policy Statement No. 16-005. The combined noise levels measured at 100 feet or the edge of habitat, whichever is closer, shall be at or below 50 decibels. Conformance will be evaluated using current auditory disturbance guidance prepared by the United State Fish and Wildlife Service, and further consultation where necessary. A building permit shall be obtained should any structures be necessary for noise attenuation.
3. All artificial lighting shall be fully contained within structures such that no light escapes (e.g., through blackout curtains). Structures shall be shielded between 30 minutes prior to sunset and 30 minutes after sunrise to prevent disruption to crepuscular wildlife. Security lighting shall be motion activated and comply with the International Dark-Sky Association standards and Fixture Seal of Approval Program. Standards include but are not limited to the following, 1) light shall be shielded and downward facing, 2) shall consist of low-pressure sodium light or low spectrum light emitting diodes with a color temperature of 3000 kelvins or less and 3) only placed where needed.
4. Should the Humboldt County Planning Division receive complaints that lighting or noise is not complying with the standards listed above in this permit, within ten (10) working days of receiving written notification that a complaint has been

filed, the applicant shall submit written verification that the light shielding and alignment, and noise levels have been repaired, inspected, and corrected as necessary.

5. The use of monofilament netting for all uses, including but not limited for erosion control, shall be prohibited. Geotextiles, fiber rolls, and other erosion control measure materials shall be made of loose-weave mesh, such as jute, hemp, coconut (coir) fiber, or other products without welded weaves to minimize the risk of ensnaring and strangling wildlife.
6. All refuse shall be contained in wildlife proof containers, always, and relocated to an authorized waste management facility, in compliance with State and local laws, on a regular and on-going basis.
7. Should any wildlife be encountered during work activities, the wildlife shall not be disturbed and be allowed to leave the work site unharmed.
8. The use of anticoagulant rodenticide is prohibited.
9. The operator shall provide information to all employees about the potential health impacts of cannabis use on children. Information shall be provided by posting the brochures from the Department of Health and Human Services titled "Cannabis Palm Card" and "Cannabis Rack Card." This information shall also be provided to all employees as part of the employee orientation.
10. All components of the project shall be developed, operated, and maintained in conformance with the Project Description, the approved Site Plan, the Plan of Operations, the CMMLUO, and these conditions of approval.
11. If operating pursuant to a written approved compliance agreement, permittee shall abate or cure violations at the earliest feasible date, but in no event no more than two (2) years from the date of issuance of a provisional clearance or permit. Permittee shall provide plans for curing such violations to the Planning and Building Department within one (1) year of issuance of the provisional clearance or permit. If good faith effort toward compliance can be shown within the two years following the issuance of the provisional clearance or permit, the Department may, at the discretion of the Director, provide for extensions of the provisional permit to allow additional time to meet the outstanding requirements.

12. Compliance with all statutes, regulations, and requirements of the California State Water Resources Control Board and the Division of Water Rights, at a minimum to include a statement of diversion of surface water from a stream, river, underground stream, or other watercourse required by Water Code Section 5101, or other applicable permit, license, or registration, as applicable.
13. Confinement of the area of cannabis cultivation, processing, manufacture, or distribution to the locations depicted on the approved site plan. The commercial cannabis activity shall be set back at least 30 feet from any property line, and 600 feet from any school, school bus stop, church or other place of religious worship, or tribal cultural resources, except where a reduction to this setback has been approved pursuant to Section 55.4.11(d).
14. Applicant must adhere to and implement the Site Management Plan. A copy of the reporting form portion of the Mitigation and Reporting Program (MRP) shall be submitted to the Planning and Building Department upon request.
15. Applicant must demonstrate and maintain enrollment in Tier 1 or 2 in accordance with State Water Resources Control Board Order No. WQ 2019-0001-DWQ, or any substantially equivalent rule that may be subsequently adopted by the County of Humboldt or other responsible agency.
16. Comply with the terms of any applicable Lake and Stream Alteration (1600 or 1602) Agreement obtained from the California Department of Fish and Wildlife (CDFW).
17. Comply with the terms of a less-than-3-acre conversion exemption or timberland conversion permit, approved by the California Department of Forestry and Fire Protection (Cal Fire), if applicable.
18. Consent to an annual on-site compliance inspection, with at least 24 hours prior notice, to be conducted by appropriate County officials during regular business hours (Monday through Friday, 9:00 a.m. to 5:00 p.m., excluding holidays).
19. Refrain from the improper storage or use of any fuels, fertilizer, pesticide, fungicide, rodenticide, or herbicide.
20. Pay all applicable application, review for conformance with conditions and annual inspection fees.

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

Performance Standards for Cultivation and Processing Operations

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

- a. Cultivation operations and processing operations must implement safety protocols and provide all employees with adequate safety training relevant to their specific job functions, which may include:
 - (1) Emergency action response planning as necessary;
 - (2) Employee accident reporting and investigation policies;
 - (3) Fire prevention;
 - (4) Hazard communication policies, including maintenance of material safety data sheets (MSDS);
 - (5) Materials handling policies;
 - (6) Job hazard analyses; and
 - (7) Personal protective equipment policies, including respiratory protection.
 - b. Cultivation operations and processing operations must visibly post and maintain an emergency contact list which includes at a minimum:
 - (1) Operation manager contacts;
 - (2) Emergency responder contacts; and
 - (3) Poison control contacts.
 - c. At all times, employees shall have access to safe drinking water and toilets and handwashing facilities that comply with applicable federal, state, and local laws and regulations. Plumbing facilities and water source must be capable of handling increased usage without adverse consequences to neighboring properties or the environment.
 - d. On site-housing provided to employees shall comply with all applicable federal, state, and local laws and regulations.
28. All cultivators shall comply with the approved processing plan as to the following:
- a. Processing practices
 - b. Location where processing will occur
 - c. Number of employees, if any
 - d. Employee Safety Practices
 - e. Toilet and handwashing facilities
 - f. Plumbing and/or septic system and whether or not the system is capable of handling increased usage

- g. Drinking water for employees
- h. Plan to minimize impact from increased road use resulting from processing
- i. On-site housing, if any

29. Term of Commercial Cannabis Activity Permit. Any Commercial Cannabis Cultivation permit issued pursuant to the CMMLUO or CCLUO shall expire one (1) year after date of issuance, and on the anniversary date of such issuance each year thereafter, unless an annual compliance inspection has been conducted and the permittees and the permitted site have been found to comply with all conditions of approval.

30. Inspections. If the inspector or other County official determines that the permittees or site do not comply with the conditions of approval, the inspector shall serve the permit holder with a written statement identifying the items not in compliance, and the action that the permit holder may take to cure the noncompliance or file an appeal within ten (10) days of the date that the written statement is delivered to the permit holder. Personal delivery or mailing the written statement to the mailing address listed on the application by regular mail, plus three (3) days after date of mailing, shall constitute delivery. The permit holder may request a reinspection to determine whether or not the permit holder has cured all issues of noncompliance. Failure to request reinspection or to cure any items of noncompliance shall terminate the Permit, immediately upon the expiration of any appeal period, or final determination of the appeal if an appeal has been timely filed.

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

31. Permit Renewals to Comply with Updated Laws and Regulations. Permit renewal is subject to the laws and regulations effective at the time of renewal, which may be substantially different than the regulations currently in place and may require the submittal of additional information to ensure that new standards are met.

32. Acknowledgements to Remain in Full Force and Effect. Permittee acknowledges that the County reserves the right to reduce the size of the area allowed for cultivation under any clearance or permit issued in accordance with this section

in the event that environmental conditions, such as a sustained drought or low flows in the watershed in which the cultivation area is located, will not support diversions for irrigation.

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

Informational Notes:

1. None

Cultivation and Operations Plan

Owner: Rick Cooper

Project Name: Humboldt Sanctuary Farm, LLC

APN: 221-071-020



I. Cultivation Operations Plan Overview

1.0 Project Information

Humboldt Sanctuary Farm (Applicant) is submitting this application for a Conditional Use Permit for an existing 28,500 square foot outdoor commercial cannabis cultivation on a 57.94-acre parcel, located near Meyers Flat, CA, Assessor's Parcel Number 221-071-020. This application with Humboldt County's Commercial Medical Marijuana Land Use Ordinance (CMMLUO).

The Use Permit would achieve the following results for the Applicant:

- a. Permit the existing 28,500 square feet of existing outdoor cannabis cultivation.
- b. Comply with applicable standards for water quality maintenance and watershed protection through the Waiver of Waste Discharge requirements of the North Coast Regional (and State) Water Quality Control Board (Water Board) and California Department of Fish and Wildlife (CDFW).

2.0 Project Location

The applicant's parcel is located in inland zone of Southern Humboldt County near Meyers Flat, CA. The parcel is comprised of 57.94-acres and is identified by Assessor's Parcel Number (APN) 221-071-020. The street address is for the parcel is 7450 Thomas Rd. Miranda, CA 95553. This property is located approximately .75 miles north of the Salmon Creek School in Humboldt County, CA.



Figure 1: Project Location Map

2.1 Zoning Classification

The County's Zoning Classification of the parcel is Unclassified (Zone "U"). The CMMLUO permits commercial cannabis cultivation on land zoned as U with outdoor cultivation sites up to 43,560 square feet with a Use Permit. The applicant's parcel meets all of the CMMLUO zoning requirements for commercial cannabis cultivation.

2.2 Site Topography

A map of the parcel's topography is included as Attachment A.

3.0 Easements

4.0 Natural Waterways

The parcel has one (1) Class II watercourse that runs from the northeaster quadrant of the parcel to the southwest quadrant.

More waterways

5.0 Location and Area of Existing Cultivation

There are three (2) separate cultivation areas on the parcel. Each cultivation area is delineated below. Cannabis cultivation occurs within 28,500 square feet of the parcel. Of those 28,500 square feet, 5,000 square feet is comprised of greenhouses and 23,500 square feet is comprised of outdoor. No mixed light or indoor cultivation occurs on the parcel.

Greenhouses

The 5,000 square feet of greenhouse cannabis cultivation currently occurs in one location—Cultivation Area 3—on the Parcel and can be viewed on the County Plot Plan as Attachment B.

Cultivation Area #1 – Decommissioned.

Cultivation Area #3

Greenhouse A is 960 square feet and is located in the western section of the parcel. It resides within the proper buffer zones for the county and Water Board.

Greenhouse B is 960 square feet and is located in the western section of the parcel. It resides within the proper buffer zones for the county and Water Board.

Greenhouse C is 960 square feet and is located in the southeastern section of the parcel. It resides within the proper buffer zones for the county and Water Board.

Greenhouse D is 960 square feet and is located in the southeastern section of the parcel. It resides within the proper buffer zones for the county and Water Board.

Greenhouse E is 576 square feet and is located in the southeastern section of the parcel. It resides within the proper buffer zones for the county and Water Board.

Greenhouse F is 576 square feet and is located in the southeastern section of the parcel. It resides within the proper buffer zones for the county and Water Board.

Outdoor

The 23,500 square feet of outdoor cannabis cultivation occurs in two (2) locations on the parcel—Cultivation areas 2 and 3—and can be viewed on the County Plot Plan as Attachment B.

Cultivation Area #2

Cultivation Area #2 consists of approximately 17,000 square feet of outdoor cannabis cultivation and is located in the southwestern section of the parcel. It resides within the proper buffer zones for the County and the Water Board.

Cultivation area #3

Cultivation area #3 consists of approximately 9500 feet of outdoor cannabis cultivation and is located in the southeastern section of the parcel. It resides within the proper buffer zones for the County and the Water Board.

6.0 Setbacks of Cultivation Area

Of the ~~five~~ two cultivation areas on the parcel, one (cultivation area 2) may not meet the required setback. Cultivation area 2 is adjacent to what may be regarded as a Class II watercourse that has a required setback of 100 feet. Approximately 1/3 of the garden lies within a 100 foot Class II setback. Although portions of cultivation area 2 would fall within a Class II setback, based on the well managed cultivation area, the native hillside between the garden and the watercourse, and the maintenance of native plants in the riparian, it does not represent an increased threat to water quality.

7.0 Access Roads

The parcel is located off of Salmon Creek Road off Highway 101. The road network exhibits some markers of inadequate drainage, namely erosion and sediment delivery in various locations. Necessary remediation and/or erosion control measures are outlined in the applicant's WRPP. The Road Report, commissioned by the applicant, contains many details. That Report has since submitted and accepted by agency authorities.

8.0 Graded Flats

There are existing graded flats located on the parcel. One, where the Nursery (former Cultivation Area 1) is sited, existed in 1973 when the Cooper family purchased the parcel.

9.0 Existing and Proposed Buildings

Storage Shed

The applicant is proposing a storage shed for the parcel.

Multipurpose Building / Pesticide Storage Building

The applicant is proposing a multipurpose building / pesticide storage building shed for the parcel.

Nursery

A Nursery building was added to the farm in 2021. It is a greenhouse-style structure with metal ribs and a heavy plastic covering. The footprint is approximately 1900 square feet. The Nursery is sited on what was Cultivation Area One, which has since been retired.

10.0 Water Storage, Use and Watershed Protection

10.1 Water Storage

The applicant currently has approximately 600,000 gallons of water stored in a non-jurisdictional rain water catchment reservoir (Pond #3) on site. The pond contains stored rainwater, which is pumped by a solar powered electric pump to three (3), 3,300 gallon agricultural use tanks adjacent to the Nursery (former Cultivation area 1) and used only for cannabis cultivation.

Water catchment analysis: Rainwater accumulates in the reservoir (Pond 3) in part from surface area rainfall. Moreover, rainwater flows to the reservoir off the adjacent hillside, northwest of the water body. Even in a season of less rainfall the reservoir fills up, and overflows.

10.2 Water Use

The amount of water used for the cultivation of cannabis will average 300,000 gallons annually. The cultivation areas are watered using drip irrigation, as well as minimal hand watering. All beds are mulched to reduce evaporation and soil pots are left in place during the winter months such that an efficient biodynamic soil is maintained throughout the year.

10.3 Watershed Protection

Measures of the Water Resource Protection Plan, as well as additional management practices shall be implemented to ensure adequate watershed protection. This includes the sparing application of water so as to limit potential for runoff, the planting of cover crop in the winter, the use of mulch to prevent evaporation, thereby minimizing water usage, and regular monitoring of the ponds for tadpoles.

The cultivation areas have a moderate gradient topography and are irrigated in a manner that prevent runoff. Within the cultivation area, large pots are strategically well-spaced, and grass is maintained between and around the pots to provide sufficient filtration and nutrient uptake.

The applicant has a Site Management Plan (SMP) for the parcel and is enrolled in the Water Board's waiver of waste discharge program as a Tier II discharger.

11.0 Distances from Significant Landmarks

There are no school, school bus stops, places of worship, public parks, or Tribal Cultural Resources within 600 feet of the cultivation site. There also are no offsite residences within 300 feet of the cultivation areas.

II. Cultivation and Operations Plan

1.0 Materials Storage

All fertilizers are stored in a shed or covered and kept off the ground, thus any spill will be contained. Organic fertilizers and amendments are applied according to labeled instructions. All labels are preserved on nutrients containers for future referencing to ensure proper application is practiced. The storage area has posted instructions for storing fertilizers and amendments, instructions for cleaning up spills, and a spill kit that contains a container, gloves, towels, absorbent socks and an approved absorbent material.

Waste is stored in secure containers and is taken to the transfer station as needed to maintain a clean environment.

2.0 Schedule of Cultivation Activities

All cultivation activities are subject to change based on climate, strain and Applicant's schedule.

Outdoor

The Applicant usually begins cracking seeds for their outdoor cultivation sites around March and into April. Plants are transplanted to outdoor cultivation areas in May or June, depending on the weather. Harvesting of outdoor crops ensues either in September or October. The Applicant is anticipating one (1) outdoor harvest.

Greenhouse

The Applicant begins cracking seeds for their greenhouse cultivation sites around March and into April. Plants are transplanted to greenhouse cultivation areas in May or June, depending on the weather. If the applicant is able to cultivate two (2) runs in the greenhouses, the first crop is harvested in June or July+, depending on the weather, and the second in September or October. The applicant anticipates one to two (1-2) harvest(s) per greenhouse.

****generator use**

March/April: Start seedlings; construct small plastic covered building to protect young seedlings; transplant plants into appropriate size containers, as needed.

May: Weed whack gardens as part of site preparation; turn soils; mix amendments into soils; test water system for leaks, etc.

May/June: Plant, depending on the weather.

June: Feed and top plants; do additional feedings, as needed.

July/August: Stake and tie plants; do ongoing check of water system; leaf plants; do a final feeding

September/October: Cut plants in the field; containerize them and move them to the drying facilities; hang dry plant material for approximately 10 days to 2 weeks.

Note: If there is the opportunity to do two runs in the hoop houses, then the first run is harvested in June or July+, depending on the weather and strain. Replanting is soon after that first harvest.

3.0 Processing Practices

Standards for Processing Activities:

Pursuant to Section 55.4.11 (q) through (u) of the CMMLUO, the Applicant will implement the following processing plan and practices for parcel APN 221-071-020.

a.) Provide a statement declaring Humboldt Sanctuary Farm, LLC, as an “agricultural employer,” as defined in the Alatorre – Zeonvich – 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.

b.) 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).

c.) The Application will comply with the following processing practices:

- i.) All work surfaces and equipment will be maintained in a clean and sanitary condition;
- ii.) All processing operations will implement protocols which prevent mold and mildew growth and contamination on the harvested cannabis;
- iii.) All employees will have access to facemasks and gloves in good, operable condition as applicable to their job function;
- iv.) All employees will adhere to proper hand washing and glove protocol.

d.) The applicant will engage in the following Employee Safety Practices, which are including but not limited to:

- i.) emergency action response planning as necessary;
- ii.) accident reporting and investigation policies in place;
- iii.) fire prevention;
- iv.) hazard communication policies, including maintenance of material safety data sheets;
- v.) materials handling policies;
- vi.) job hazard analyses; and
- vii.) personal protective equipment policies, including respiratory protection.

e.) The Applicant will visibly post and maintain an emergency contact which includes at the minimum;

- i.) Operation manager contacts;

- ii.) Emergency responder contacts; and
 - iii.) Poison control contacts.
- f.) Employees will have access to safe drinking water and toilets and handwashing facilities;
- g.) There will not be any onsite housing provided on the farm premises.

Processing Plan

- a.) Plants will be harvested one at a time using hand shears and taken into the proposed processing building where it will be dried, machine/hand trimmed, cured and stored. All processing will be performed by an estimated four (4) employees.
- b.) All processing will occur in the proposed processing building.
- c.) The Applicant is anticipating two (2) agricultural employees and six (6) trimmers on site.
- d.) Employees will abide by the employee safety practices outlined in section C of the Standards for Processing Activities as seen above.
- e.) The applicant will have portable toilet(s) with on site with proper handwashing / sanitizing facilities / equipment available.
- f.) The parcel has a septic system, which may need to be expanded to account for employee use.
- g.) Potable drinking water will be onsite for employees use.
- h.) The Applicant will be utilizing the California METRC Track and Trace program, abiding by all appropriate record keeping practices.

4.0 Security Measures

The farm is located behind locked gates and surveillance cameras are in use at strategic locations. The drying and processing areas are kept secure. Additionally, the property is set up for fire safety. There are three ponds with water for firefighting, and there is a 1 ½" metal fire standpipe (or fire hydrant) with a fire hose adaptor at every building on the property. In the event of emergency, the appropriate authorities will be contacted.

Attachments

- A. Topo Map
- B. Plot Plan
- C. Other maps
 - a. Historic landslide
 - b. Arial map
 - c. All maps in email



Humboldt Sanctuary Farm LLC
 APN: 221-071-020
 7450 Thomas Rd, Miranda, CA

Site Plan January 13, 2025

APPROVED
 MAR 20 2025
 Humboldt County
 PLANNING



Legend (Symbols not to scale)

- | | |
|---|---|
| <ul style="list-style-type: none"> ☐ Cannabis Related Structures ☐ historic cultivation area ■ Spoils Pile ● Porta_Potty — AG_Water_Lines ● Ag_Tanks | <ul style="list-style-type: none"> ⊙ generator use ■ storage & processing 16' x 24' ■ Dry Shed 20' x 28' (generator storage) ■ Utility_Fert_Storage 10' x 14' ■ New_immature_plant_area_mixed_light ☐ Cult_Area_2 ■ 4 Greenhouses: 80' x 12' ■ 2 Greenhouses: 12' x 48' |
| <ul style="list-style-type: none"> ☐ Cannabis Cultivation Areas ☐ Outdoor_Plots | <ul style="list-style-type: none"> ■ Non-cannabis structures ■ propane tank ■ leach fields ■ septic tank ⊙ domestic tanks ■ Building_Residence ■ Building_guest_cottage ■ Building_Storage_guest_Cottage ■ Building_Storage_Bunker ■ Building_WoodShed ● Spring ■ fire suppression ponds ■ Offstream Rainwater Catchment Reservoir ⊗ Stream_Crossings |
| <ul style="list-style-type: none"> Water Courses — Class_2_Stream — Class_3_Stream — Class_4_Stream Roads ■ ada parking Private Community Roads Access_Rds ~12' wide ■ parking ■ vehicle turn around ■ hydro box 2' x 2' ☐ solar array ■ Personal Use Plants | <p>Humboldt Sanctuary Farm LLC
 APN: 221-071-020
 7450 Thomas Rd, Miranda, CA</p> <p>Site Plan January 13, 2025</p> |