

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

Resolution Number 25-050

Record Numbers: PLN-2020-16224 and PLN-12698-ZCC

Assessor's Parcel Number: 104-291-005 and 104-321-001

Resolution by the Planning Commission of the County of Humboldt certifying compliance with the California Environmental Quality Act and conditionally approving the Empress Farms, LLC Special Permits, Zoning Clearance Certificates, and Conditional Use Permit.

WHEREAS, Empress Farms, LLC applied for a Special Permit for 33,560 square feet of new outdoor commercial cannabis cultivation and 43,560 square feet of outdoor commercial cannabis cultivation under the Retirement, Remediation and Relocation program (PLN-12698-ZCC) for a proposed total addition of 77,120 square feet. The project parcel already contains 10,000 square feet of approved outdoor commercial cannabis cultivation under PLN-11418-ZCC. With approval of the Special Permit, the total cultivation would be 87,120 square feet. The project also includes a Conditional Use Permit for a 7,600 square foot commercial nursery, and non-flammable cannabis manufacturing located on a road that is not paved to Category 4 standards. The project site already contains an ancillary nursery that serves the previously approved onsite cultivation in addition to a nearby cultivation site operated by the same entity (PLN-12694-CUP on APN 104-311-019). With the approval of the Special Permit, an additional 8,712 square feet of ancillary nursery will be added, bringing the total ancillary nursery space to 14,068 square feet. Water use is projected to be 824,276 gallons per year. The irrigation source is an existing 1,097,350-gallon rainwater catchment pond. An on-site permitted well and spring may be used for the manufacturing activities. PGE provides electricity; and

WHEREAS, the County Planning Division, as lead agency, prepared an Addendum to the Final Environmental Impact Report (EIR) prepared for the Commercial Cannabis Land Use Ordinance (CCLUO) adopted by the Humboldt County Board of Supervisors on May 18, 2018. The proposed project does not present substantial changes that would require major revisions to the previous EIR. No new information of substantial importance that was not known and could not be known at the time was presented as described by §15162(c) of CEQA Guidelines; and

WHEREAS, the Humboldt County Planning Commission held a duly-noticed public hearing on September 4, 2025, and reviewed, considered, and discussed the application for the requested Special Permits, Zoning Clearance Certificates, and 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 Special Permit for 33,560 square feet of new outdoor commercial cannabis cultivation and 43,560 square feet of outdoor commercial cannabis cultivation under the Retirement, Remediation and Relocation program (PLN-12698-ZCC) for a proposed total addition of 77,120 square feet. The project parcel already contains 10,000 square feet of approved outdoor commercial cannabis cultivation under PLN-11418-ZCC. With approval of the Special Permit, the total cultivation would be 87,120 square feet. The project also includes a Conditional Use Permit for a 7,600 square foot commercial nursery, and non-flammable cannabis manufacturing located on a road that is not paved to Category 4 standards. The project site already contains an ancillary nursery that serves the previously approved onsite cultivation in addition to a nearby cultivation site operated by the same entity (PLN-12694-CUP on APN 104-311-019). With the approval of the Special Permit, an additional 8,712 square feet of ancillary nursery will be added, bringing the total ancillary nursery space to 14,068 square feet. Water use is projected to be 824,276 gallons per year. The irrigation source is an existing 1,097,350-gallon rainwater catchment pond. An on-site permitted well and spring may be used for the manufacturing activities. PGE provides electricity.

EVIDENCE: a) Project Files: PLN-2020-16224 and PLN-12698-ZCC

2. FINDING:

CEQA. The requirements of the California Environmental Quality Act have been met. The Humboldt County Planning Commission has considered the Environmental Impact Report (EIR) previously adopted for the Commercial Cannabis Land Use Ordinance as well as the Addendum to the EIR that was prepared for the Empress Farms, LLC project pursuant to Section 15164 of the CEQA guidelines.

EVIDENCE: a) Addendum to the EIR prepared for the proposed project in compliance with CEQA.

b) The proposed project does not present substantial changes that would require major revisions to the previous EIR. No new information of substantial importance that was not known and could not be known at the time was presented as described by §15162(c) of CEQA Guidelines.

- c) The source of cannabis irrigation water is rainwater catchment. Water will be gathered from gutter connected greenhouses and will be stored in a 1,097,350-gallon rainwater catchment pond. A rainwater catchment analysis was conducted that determined the project as conditioned will be able to gather and store enough water for cultivation activities in a drought year.
- d) Prior to commencing the expanded cultivation, manufacturing, and nursery operations entitled by this Permit, the permittee shall provide documentation demonstrating enrollment State Water Board General Order No. WQ 2019-0001-DWQ by providing a copy of the Notice of Applicability and a Site Management Plan.
- e) Comments were received from the California Department of Fish and Wildlife requesting that the applicant obtain a final Lake and Stream Alteration Agreement (LSAA) that includes the water diversion from the spring and use of the well. The use of the spring and well is limited to the project's manufacturing and domestic water needs. A water meter shall be installed, and the permittee shall maintain records of monthly and annual water withdrawals from the spring and well as required by the LSAA.

- f) Per review of CDFW's California Natural Diversity Database in June 2025, the project parcels do not include habitat special status animal species. The nearest Northern spotted owl positive sighting and activity center is located approximately 1.9 miles north-northeast of the project site. A Biological Resource Assessment (Attachment 4D), Botanical Surveys and Wetland Assessment were conducted for the project. There were no special status animals, or plants, identified on site in the initial biological study. The study did identify the presence *Elymus glaucus* which is a component species of *Bromus sitchensis* var. *carinatus* – *Elymus glaucus* alliance [G3S3]. This alliance has been assigned a conservation status rank of G3S3, Globally Vulnerable, Subnationally Vulnerable. The alliance areas were mapped, and the project has been designed and conditioned to prevent disturbance of this alliance. The California Department of Fish and Wildlife requested an early season protocol level botanical survey and wetland delineation. The applicant had an early season botanical study prepared; no species of concern were identified. Botanical surveys did indicate the presence of the invasive plant Scotch Broom (*Cytisus scoparius*), and the applicant subsequently submitted an invasive species management plan describing ongoing efforts to control the Scotch Broom.
- g) A Cultural Resources Investigation was prepared in June 2017 by William Rich, M.A., RPA, Principal Investigator, William Rich and Associates, Bayside, CA. Per the Report, outreach letters were sent to the Bear River Band and "a request to be informed of any findings" was received by the Tribal Historic Preservation Officer (THPO). The report concluded that the proposed project will not result in any adverse changes to historical or archaeological resources, recommended Inadvertent Discoveries Protocol, and noted that at the time of the Report, no further archaeological studies are recommended for the project as it is currently planned. The project was referred to the Northwest Information Center (NWIC) and the Bear River Band of the Rohnerville Rancheria, and the Intertribal Sinkyone Wilderness Council. NWIC requested further study and that the County consult with local Tribes. The Tribal Historic Preservation Officer for the Bear River Band of the Rohnerville Rancheria has requested that the standard inadvertent discovery protocol be applied to the project. This has been included in the Informational Notes within the conditions of approval.

**FINDINGS FOR SPECIAL PERMITS, ZONING CLEARANCE
CERTIFICATES, AND 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 principally 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 Unclassified (U) zoning district in which the site is located.

EVIDENCE:

- a) The U zone is all the unincorporated area of the County not otherwise zoned. General agriculture, including the cultivation of cannabis, is a principally permitted use in the U zoning district.
- b) Humboldt County Code section 314-55.4.6.1 allows cultivation of up to 43,560 SF of existing or new cannabis cultivation on a parcel over 10 acres in size, subject to approval of a Special Permit. The parcel is approximately 42 acres in size, and the combined existing and new cultivation (notwithstanding the RRR entitlements) will not exceed 43,560 SF.
- c) Humboldt County Code section 314-55.4.6.5.9(c) allows relocation of all recognized prior cannabis cultivation on a 1-for-1 basis from retired cultivation sites with a Special Permit in the U zone.
- d) Humboldt County Code Section 314-55.4.7.3 allows commercial cannabis processing and commercial cannabis nurseries, and Humboldt County Code Section 314-55.4.8.2.3(c) allows Cannabis Manufacturing in the U zone on a road that is not paved with a centerline stripe with a Conditional Use permit, provided that the application includes an evaluation of the local road network and relevant segments prepared by a licensed engineer that provides substantial evidence to support a finding that standards for the protection of public health and safety, including fire safe road access,

capacity to support anticipated traffic volumes, water quality objectives, and protection of habitat can be met. An engineer assessment of the road has been submitted which shows the road is adequate for this purpose.

- e) All existing and proposed development meets the minimum yard setback requirements for the U zone and Fire Safe regulations.

5. FINDING:

The proposed development is consistent with the requirements of the CCLUO Provisions of the Zoning Ordinance.

EVIDENCE:

- a) The CCLUO allows cannabis activities to be permitted in areas zoned Unclassified (U) as described in Section 4 above.
- b) The subject parcel is a separate legal parcel per Notice of Merger Document No. 5283 recorded in Book 1638 of Records, Page 654 on March 23, 1981.
- c) Energy for the project will be provided by renewable grid power supplied by PG&E.
- d) Irrigation water is sourced from rain catchment. A well and or a spring on site will supply domestic water.
- e) Cultivation will occur on slopes of 15% or less.
- f) The cultivation of cannabis will not result in conversion of timberland.
- g) In 2023, the NRCS (Natural Resources Conservation Service) refreshed soil data and interpretations as part of their annual soils refresh process. This involved updating existing soil data and adding new data. The NRCS also maintains lists of Prime Farmland and Farmland of Statewide Importance, which are important for agricultural land use and conservation planning. The 2023 data refresh classified the soils on the project site as Farmland of Statewide Importance. This category includes land that doesn't quite meet the criteria for Prime Farmland but is still important for agricultural production, often producing high yields when properly managed. The project proposes cultivation of cannabis planted directly into native soils. The soil in the proposed project area is well suited for this use but the project will not impact on the availability of prime soils for other agricultural purposes.

- h) The location of the cultivation site complies the setbacks required in Section 314-55.4.6.4.4 of Humboldt County Code. It is more than 30 feet from any property line, more than 300 feet from any offsite residence, more than 270 feet from any adjacent undeveloped parcel, and more than 600 feet from any school, church, public park, or Tribal Cultural Resource.
- i) The property is accessed via a private driveway off Mattole Road, a county-maintained road. A Road Evaluation Report was prepared by a licensed engineer that found that, despite not being developed equivalent to Category 4, the .31-mile driveway will meet standards and support the proposed project's traffic including the commercial nursery and manufacturing.

The Humboldt County Department of Public Works (DPW) provided a comment memo on 4/16/2020 with conditions of approval. DPW requested that if the County road has a paved surface at the location of the access driveway, the access road shall be paved for a minimum width of 20 feet and a length of 50 feet where it intersects the County road. As required by the State Waterboard and as conditioned, the project meets the location criteria for road access required under HCC Sec. 314-55.4.7.3.

- j) All use of supplemental lighting will comply with International Dark-Sky Standards
- k) Noise Performance Standards required in the CCLUO, per section 314-55.4.12.6, states that noise from cultivation and related activities shall not result in an increase of more than three decibels of continuous noise above existing ambient noise levels at any property line of site. The applicant has submitted a Sound Evaluation Report which describes noise measurements taken at the west, south, and east property lines. The existing average decibel levels at the west, south, and east property lines when measurements were taken were 50.3, 48.1, and 57.5 decibels respectively. The project is conditioned to not exceed three decibels above the measured average ambient noise levels found at each property line for the life of the project.

- l) Plants will be cultivated in native soils amended with organic fertilizers. The applicant submitted a Waste Treatment Program for the manufacturing activity. Spent plant material will be composted on site and water used in the extraction process will be disposed of through a greywater system or an approved wastewater treatment system.
- m) Invasive Species Plan has been submitted that identified plants proposed for control and eradication; the main species to be controlled is Scotch Broom, *Cytisus scoparius*.

6. FINDING:

The project 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) All access roads on the property shall be maintained in compliance with the State Water Resources Control Board Order WQ 2019-0001-DWQ, which states that all access roads are to be hydrologically disconnected to receiving waters. A licensed engineer prepared a road evaluation report that determined the road was unlikely to contribute sediment to watercourses. To ensure compliance WQ 2019-0001-DWQ, the applicant shall Site Management Plan that documents measures taken to prevent runoff from the project entering receiving bodies.
- b) The site is in a rural part of the County where the typical parcel size is over 25 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 will not change the character of the area due to the large parcel sized in the area.
- c) The location of the proposed cannabis cultivation is more than 300 feet from the nearest off-site residence and more than 270 feet from any adjacent undeveloped parcel.
- d) Irrigation water is sourced from rain catchment and a well on site will supply domestic water and water for manufacturing activities.

- e) Provisions have been made in the applicant's proposal to protect water quality through yearly site inspection, monitoring, and reporting to the NCRWQCB. Annual reporting shall be submitted to the NCRWQCB. Therefore, runoff to adjacent property and infiltration of water to groundwater resources will not be adversely 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 included in the 2019 County Housing Inventory; however, there are no existing residences on the parcel, and none are proposed. The proposed project will not preclude development of a residence in the future.

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 Cape Mendocino Planning Watershed, which under Resolution 18-43 is limited to 650 permits and 223 acres of cultivation. With the approval of this project the total approved permits for cultivation in this Planning Watershed would be 223 and the total approved acres of cultivation would be 88.1.

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
- Approve the Special Permits, Zoning Clearance Certificates, and Conditional Use Permit (PLN-2020-16224 and PLN-12698-ZCC) for Empress Farms LLC subject to the Conditions of Approval attached hereto as Attachment 1A; and
- Adopted after review and consideration of all the evidence on **September 4, 2025**.

The motion was made by COMMISSIONER Jerome Qiriaz and second by COMMISSIONER Thomas Mulder and the following vote:

AYES: COMMISSIONERS: Iver Skavdal, Jerome Qiriaz, Thomas Mulder, Peggy O'Neill

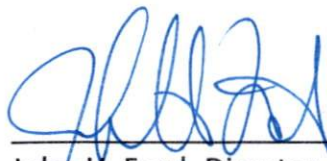
NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS: Lorna McFarlane, Sarah West, Noah Levy

ABSTAIN: COMMISSIONERS:

DECISION: Motion carried 4/0

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

APPROVAL OF THE PROJECT IS CONDITIONED ON THE FOLLOWING TERMS AND REQUIREMENTS:

A. General Conditions:

1. Prior to commencing the expanded cultivation, manufacturing, and nursery operations entitled by this Permit, the permittee shall provide documentation demonstrating enrollment State Water Board General Order No. WQ 2019-0001-DWQ by providing a copy of the Notice of Applicability and a Site Management Plan.
2. Prior to commencing the expanded cultivation entitled by this Permit, the permittee shall install metering devices to track water usage from all irrigation water sources including the outlet of the rainwater catchment pond. See also Condition of Approval B3.
3. Prior to expanding the cultivation area entitled by this Permit beyond 39,000 square feet of cultivation area, the permittee shall either:
 - a. Establish 37,925 square feet of rainwater catchment surface and an additional 20,000 gallons of water storage capacity. Rainwater catchment surfaces shall be plumbed to fill the rainwater pond or other approved storage.
 - OR
 - b. Establish through water use records that the cultivation operations including the 7,600 square foot commercial nursery may be sustained at a rate of 4.6 gallons of water per square foot of cultivation area.
4. Prior to commencing the manufacturing activities entitled by this permit, the permittee shall obtain a final Lake and Stream Alteration Agreement (LSAA) that includes the water diversion from the spring and use of the well. The use of the spring and well is limited to the project's manufacturing and domestic water needs and subject to any applicable forbearance period from CDFW and/or the Division of Water Rights. A water meter shall be installed, and the permittee shall maintain records of monthly and annual water withdrawals from the spring and well as required by the LSAA and shall provide evidence of appropriate additional water storage as necessary to comply with any applicable forbearance period. Evidence of an LSAA and water right, as well as installation of appropriate water storage for forbearance shall be demonstrated to the Planning and Building Department prior to commencing operations.
5. Prior to commencing the cultivation activities entitled by this permit, the permittee shall install a water meter at the wellhead and at the spring box and maintain records of monthly and annual water withdrawals from the well. The combined annual withdrawals from the spring and well shall not exceed 180,000 gallons per year.

6. Prior to commencement of the development of the project, the permittee shall flag the perimeter of the sensitive plant community (Elymus Glaucus) and shall prevent project related disturbances to the plant community for the life of the project.
7. 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.
8. 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 Planning Commission shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka.
9. The applicant is responsible for costs for post-approval review for determining project conformance with conditions. A deposit is collected to cover the staff review. Permit conformance with conditions must be demonstrated prior to release of building permit or initiation of use, and at the 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 \$1000), shall be paid within sixty (60) days of the effective date of the permit or upon filing of the Compliance Agreement (where applicable), whichever occurs first. Payment shall be made to the Humboldt County Planning Division, 3015 "H" Street, Eureka.
10. 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.
11. The applicant shall secure permits for all structures related to the existing cannabis cultivation and other commercial cannabis activity, including the existing greenhouses, the existing multi-use building, the existing shipping containers, and any noise containment and storage structures as necessary. The plans submitted for building permit approval shall be consistent with the project description and the approved project site plan.
12. Prior to operations of PLN 2020-16224, the applicant shall secure permits for all proposed structures and grading related to the cannabis cultivation and other commercial cannabis activity. A letter or similar communication from the Building Division verifying that all structures related to cannabis cultivation are permitted will satisfy this condition.

13. The approved building plans shall meet all applicable fire codes, including fire suppression infrastructure requirements deemed necessary for the project by the Building Inspection Division. Sign-off on the Occupancy Permit by the Building Division shall satisfy this requirement.
14. The applicant shall submit a comprehensive Light Pollution Prevention Plan for the project including all measures necessary to adhere to International Dark Sky Association standards as set forth in the CCLUO, demonstrating that the proposed project would not deliver or have the potential to deliver light pollution, during the hours of sunset to sunrise, affecting fish and/or wildlife directly or from a distance. The plan shall include information about any outdoor lighting utilized and measures to down-shield this lighting. The plan shall be submitted to the satisfaction of the Planning Division within six months of the effective date of this permit, or prior to use of lighting, whichever occurs first.
15. Prior to initiating commercial cannabis cultivation or associated activities the applicant shall obtain a Business License from the Humboldt County Tax Collector.
16. If grading is required for any future development on the site, the applicant is required to obtain a permit from the Building Inspection Division and the North Coast Air Quality Management District (NCAQMD). Dust control practices during construction and grading shall achieve compliance with NCAQMD fugitive dust emission standards.
17. 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.
18. The existing driveway that will serve as access for the proposed project that connects to the County road shall be improved to current standards for a commercial driveway. An encroachment permit shall be issued by the Department of Public Works prior to commencement of any work in the County maintained right of way.
19. The driveway onto the County 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.
20. Commercial nursery, manufacturing, and processing activities must be supported by an approved onsite wastewater treatment system (OWTS) sized to accommodate peak flow rates for both commercial and domestic wastewater demands of employee and manufacturing needs. Seasonal/outdoor cultivation sites may be supported by portable toilets. The permittee must obtain a permit for, and install, an approved OWTS to

support onsite manufacturing and either install approved OWTS or provide portable toilets to cultivation areas.

21. The permittee 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.
22. The applicant shall enroll to receive power through the Redwood Coast Energy Authority (Re-Power Plus) program or a suitable equivalent source, subject to the approval of the Planning and Building Department.
23. The cultivation area for PLN-2020-16224 shall be limited to 43,560 square feet until the Zoning Clearance Certificate PLN-12698-ZCC is approved.

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

1. The applicant shall implement the Inadvertent Discovery Protocol. If cultural resources are encountered during construction activities, the contractor onsite shall cease all work in the immediate area and within a 50-foot buffer of the discovery location. A qualified archaeologist and the appropriate Tribal Historic Preservation Officer(s) are to be contacted to evaluate the discovery and, in consultation with the applicant and the lead agency, develop a treatment plan in any instance where significant impacts cannot be avoided. Prehistoric materials may include obsidian or chert flakes, tools, locally darkened midden soils, groundstone artifacts, shellfish or faunal remains, and human burials. If human remains are found, California Health and Safety Code 7050.5 requires that the County Coroner be contacted immediately at 707-445-7242. If the Coroner determines the remains to be Native American, the Native American Heritage Commission will then be contacted by the Coroner to determine appropriate treatment of the remains pursuant to Public Resources Code (PRC) Section 5097.98. Violators shall be prosecuted in accordance with PRC Section 5097.99.
2. If the rainwater catchment pond is not filled to capacity prior to the growing season (1,097,350 gallons) the cultivation area shall be reduced proportionally to the deficit.
3. The applicant shall utilize water meters to demonstrate that there is sufficient water supply to meet the demands of the project. The water use for cultivation is limited to the maximum estimated amount described in the Operations Plan and annual water use records shall be provided prior to or during the annual inspection.

4. 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. 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.
5. All artificial lighting shall be fully contained within structures such that no light escapes (e.g., through blackout curtains). Structures shall be enclosed between 30 minutes prior to sunset and 30 minutes after sunrise to prevent disruption to crepuscular wildlife. 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.
6. Should the Humboldt County Planning Division receive complaints that the lighting or noise is not complying with the standards listed above in items B.1. and B.2., within 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.
7. The use of synthetic netting for purposes of erosion control is prohibited. To minimize the risk of wildlife entrapment, the applicant shall not use any 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. If the permittee uses synthetic netting for trellising they shall follow Best Management Practices (BMPs) for responsible storage, disposal, and use that minimizes the potential for wildlife entrapment.
8. All refuse shall be always contained in wildlife proof storage containers and disposed at an authorized waste management facility.
9. Should any wildlife be encountered during work activities, the wildlife shall not be disturbed and shall be allowed to leave the work site unharmed.
10. The use of anticoagulant rodenticide is prohibited.

11. The noise from operations shall not exceed 53.2, 51, 50.5 at the west, south, and east property lines respectively for the life of the project.
12. The applicant shall maintain enrollment in Redwood Coast Energy Authority (Re-Power Plus) or a suitable equivalent to meet the renewable power source requirement for open- air cultivation and shall provide copies of energy bills confirming enrollment at each annual inspection to keep the permit valid.
13. 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.
14. 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, as modified by this permit, and these conditions of approval. Any changes shall require modification of this permit except where consistent with Humboldt County Code Section 312-11.1, Minor Deviations to Approved Plot Plan. When offsite processing is chosen to be the preferred method of processing, this permit shall be modified to identify the offsite licensed facility.
15. Cannabis cultivation and other commercial cannabis activity shall be conducted in compliance with all laws and regulations as set forth in the CCLUO and Medicinal and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA), as applicable to the permit type.
16. If operating pursuant to a written approved compliance agreement, the 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.
17. The permittee shall have possession of a current, valid required license, or licenses, issued by any agency of the State of California in accordance with MAUCRSA, and regulations promulgated thereunder, as soon as such licenses become available.
18. The permittee shall be in 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.

19. The permittee shall ensure 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 314-55.4.6.4.4 of the CCLUO.
20. The permittee shall maintain enrollment in Tier 1 or 2, certification with North Coast Regional Water Quality Control Board (RWQCB) Order 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.
21. The permittee shall comply with the terms of the Final Lake or Streambed Alteration Agreement, as well as any subsequent amendments, obtained from the California Department of Fish and Wildlife.
22. The permittee shall 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.
23. The permittee shall 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).
24. The permittee shall pay all applicable fees for application review to ensure conformance with conditions and annual inspection fees.
25. 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.
26. Fertilizer, pesticide, fungicide, rodenticide, or herbicide shall be properly stored, handled and used in accordance with applicable regulations.
27. The master logbooks maintained by the applicant to track production and sales shall be maintained for inspection by the County.

28. The permittee shall 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

29. 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.”
30. 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).
31. 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.
32. 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. Onsite housing provided to employees shall comply with all applicable federal, state, and local laws and regulations.

33. 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. Onsite housing, if any

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

35. 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 re-inspection to determine whether or not the permit holder has cured all issues of noncompliance. Failure to request re-inspection 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 314-55.4.5.7 of the CCLUO.

36. 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.
37. 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.
38. Transfers. Transfer of any leases or permits approved by this project is subject to the review and approval of the Planning Director for conformance with CCLUO eligibility requirements and agreement to permit terms and acknowledgments. The fee for required permit transfer review shall accompany the request. The request shall include the following information:
 - a. Identifying information for the new owner(s) and management as required in an initial permit application;
 - b. A written acknowledgment by the new owner in accordance as required for the initial permit application;
 - c. The specific date on which the transfer is to occur;
 - d. Acknowledgement of full responsibility for complying with the existing permit; and
 - e. Execution of an Affidavit of Non-diversion of Commercial Cannabis.
39. Inspections. The permit holder and subject property owner are to permit the County or representative(s) or designee(s) to make inspections at any reasonable time deemed necessary to assure that the activities being performed under the authority of this permit are in accordance with the terms and conditions prescribed herein.

Informational Notes:

1. Pursuant to Section 314-55.4.6.5.7 of the CCLUO, if upon inspection for the initial application, violations of any building or other health, safety, or other state or county statute, ordinance, or regulation are discovered, the Planning and Building Department may issue a provisional clearance or permit with a written approved Compliance

Agreement. By signing the agreement, the permittee agrees to abate or cure the violations at the earliest opportunity but in no event more than two (2) years after the date of issuance of the provisional clearance or permit. Plans for curing the violations shall be submitted to the Planning and Building Department by the permittee within one (1) year of the issuance of the provisional certificate or permit. The terms of the compliance agreement may be appealed pursuant to Section 314-55.4.5.7 of the CCLUO.

2. The provisional permit approval shall expire and become null and void at the expiration of one (1) year after all appeal periods have lapsed (see "Effective Date"), except where the Compliance Agreement per Condition of Approval A5 has been executed and the corrective actions pursuant to the agreement are being undertaken. Once building permits have been secured and/or the use initiated pursuant to the terms of the agreement, the use is subject to the Permit Duration and Renewal provisions set forth in Conditions of Approval of the Ongoing Requirements/Development Restrictions, above.

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EMPRESS FARMS – SUBMITTAL OF OPERATIONS PLAN REV 3.0 SUMMARY OF UPDATES/CHANGES TO PROJECT DESCRIPTION

OVERVIEW

PURPOSE OF REVISION

In spring 2021, CDFW staff were asked by LACO (assigned Planner) to review the project and provide comment. CDFW staff visited the site in May, and the area in the lower field, below the spring became of interest. A survey was done of the area in May 2021 by a professional qualified to perform wetland surveys. 0.34 acres of wetland were identified: a 0.23-acre depressional wetland and a 0.11-acre spring-fed slope wetland. The features were mapped and a 100' buffer was demarcated around the wetland boundaries, per North Coast Regional Water Board regulations.

Due to the size and location of the riparian buffers on the lower terrace, the proposed areas for cultivation had to be moved to other areas on the Property, including the upper terrace on the northern parcel. CDFW staff expressed concerns regarding potential sensitive plant communities on the upper terrace. A survey was performed in June 2021 by a professional with extensive experience in local native grass identification, and two clusters of a "sensitive plant community" (> 30% density) of *Elymus glaucus* were identified and delineated. Therefore, the cultivation area layout has been adjusted to avoid these sensitive areas.

Given the findings and to consider both economic and environmental aspects, the Applicant has decided to remove (1) of the proposed RRRs from the project and a proposed 1,097,350-gallon pond decreasing the cultivation footprint and removing cultivation and supporting facilities from undisturbed areas of the project site. The total cultivation footprint has been reduced from 120,728 square feet to 87,120 square feet. A revised Site Plan, Project Description, Cultivation and Operations Plan, have been completed. At the time of these changes, LACO was assigned to the project and proposed to make the edits to incorporate into the Initial Study and to continue Application processing. Proposed changes to the project are summarized below.

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SUMMARY OF UPDATES & CHANGES

CULTIVATION SIZE & METHOD

The Applicant proposes to remove 33,608 square feet of RRR cultivation from donor site 104-143-016 (Apps 12698) and reduce the total square footage from 120,728 square feet to 80,070 square feet. The remaining cultivation area shall be located away from sensitive plant communities and outside of riparian setbacks as shown on the updated Site Plan.

In the initial application, 1,008 sf of commercial nursery space was included in the cultivation area. While this space is still proposed, it is no longer included in the cultivation area calculations. Also, full-sun outdoor cultivation is no longer proposed once the Project is fully implemented.

CULTIVATION AREA LAYOUT

Proposed cultivation areas have changed location and a portion now occupies the upper parcel/terrace, with avoidance of wetlands and sensitive plant areas.

Proposed cultivation is organized into two areas (CA 1 and CA 2). CA 1 is located on the Lower Terrace and consists of (11) 32x160 foot greenhouses and (2) 26x100 foot greenhouses. CA 2 occupies the Upper Terrace and consists of (5) 32x160 foot greenhouses.

Greenhouses are linked at roof edge and cultivation area reflects interior dimensions, which are less than the structure footprint by 2 feet on all sides. Exact greenhouse dimensions and proposed locations are shown on the revised Site Plan.

ADDITION OF TWO (2) ANCILLARY GREENHOUSES

Each greenhouse measures 31x157 feet, bringing the total number of ancillary nursery greenhouses to three (3). Ancillary nursery greenhouses are connected at roof edge (as shown on Site Plan) and currently exist at the site as part of PLN-11418-ZCC. Two (2) of the greenhouses will serve this project (#16224) and one (1) will provide plants for the Applicant's other project (Apps #12694) located on APN 104-311-019). Ancillary nursery space includes 304 square feet of cloning operations.

The total ancillary nursery space proposed is 14,905 square feet, which is 10.4% of the total area proposed for cultivation at both farms owned/operated by the Applicant (142,680 square feet total cultivation). During the 2020 growing season, the Applicant determined additional space was required based on the forecasts of proposed expanded operations combined with current capacity usage.

WATER STORAGE AMOUNT, USE & IRRIGATION

An additional proposed off-stream rainwater catchment pond has been rescinded/removed to minimize impacts to undisturbed areas and sensitive plant

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communities. The Applicant has determined additional storage would not be necessary due to the cultivation reduction of 33,608SF and based on the forecasts of proposed operations combined with current capacity usage and local evaporation rates. Use amounts have been recalculated and adjusted based on actual farm operations at the site and changes to expected operations (# of plants, cycles, irrigation calculations).

ACCESS ROADS

The proposed access road leading to the cultivation areas on the upper parcel and on the eastern side of the lower parcel has been downgraded to a seasonal quad trail. By only operating quads on the trail during the dry season, the effects to the riparian buffer zone will be greatly reduced. The trail shall conform with SWRCB's BPTCs for erosion control. Since the quad trail will not support fire turn around, the turnaround area has been relocated west of the existing metal building on the existing driveway.

AG CHEM STORAGE AREA/ADDITIONAL STORAGE

A new shed has been constructed nearer the existing cultivation operation to house agricultural chemicals. The existing Conex box that was proposed for this storage space in the original application is now used for general storage. In addition, a pole barn is proposed to store general farm and garden supplies and equipment.

OTHER UPDATES

Several other less-significant adjustments have been made to the Site Plan and Operations Plan to reflect changes in planning and preferences of the Applicant and landowner. These include:

- Change in location of fire water storage tanks
- Change in proposed location of septic and leach field. Exact location will be determined during the specific septic permit application and approval process through the Humboldt County Department of Health and Human Services, Division of Environmental Health.
- Inclusion of a phased-in approach to greenhouse construction in the cultivation area, allowing for cultivation in both greenhouses and without greenhouses during the first few years, as timing and economics allow.
- The "cargo trailer units" have been more properly described as a "Conex boxes".
- Energy usage was recalculated to accommodate for lighting in the additional ancillary greenhouses.

EMPRESS FARMS, LLC
APN 104-321-001 & 104-291-005

APP#16224
REVISION 3.0

OPERATIONS PLAN
PROPOSED CANNABIS
CULTIVATION FACILITIES

November 2022

Cultivation and Operations Manual

Empress Farms, LLC

Lead Agency:

Humboldt County Planning Department

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November 2022

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OPERATIONS MANUAL
EMPRESS FARMS, LLC

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EMPRESS FARMS, LLC

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Appendix C: Pesticide Storage, Handling and Application Plan

Appendix D: Emergency Procedures and Contact Information

Appendix E: Cultivation Activities Schedule

Appendix F: Material Safety Data Sheets

1. PROJECT SUMMARY

1.1. PROJECT OBJECTIVE

EMPRESS FARMS seeks a special permit for 87,120sf of outdoor cultivation and non-flammable manufacturing; and Zoning Clearance Certificates for (2) cannabis support facilities: commercial processing and a commercial wholesale nursery. The total cultivation area is comprised of 10,000 square feet of existing cultivation (APP #11418) with 33,560 square feet of proposed expansion, and 43,560 square feet of new cultivation to be received from the applicant's RRR (APP#12698). Cultivation will use light-deprivation techniques in gutter-connect greenhouses with no artificial lighting, producing up to 3-cycles annually. The project proposal includes permitting of facilities that are appurtenant to the cultivation activities. These include 14,905 sf of ancillary nursery greenhouses for application #16224 and #12694 (12694 is located off-site at APN 104-311-019). Additional ancillary nursery facilities include 304 sf of cloning operations, and a 320 sf mother plant garden located in designated conex boxes. The applicant is also proposing a 9,904 sf commercial nursery operation to include: a 4,320 sf nursery greenhouse, 1,088 sf seed production greenhouse, 4,480 sf research and development greenhouse, and 16 sf cloning space in a conex box. A chart describing proposed cultivation activities can be found in Section 3. The primary irrigation water source is an existing 1,097,350-gallon rainwater catchment pond. Back-up water source is a groundwater well. Electricity is currently sourced by PG&E. There will be an average of 10 employees during peak seasonal operations with an average of 4 during non-peak operations.

1.2. SITE DESCRIPTION

The subject parcels (APN 104-321-001 and 104-291-005) are 17.85 and 24.16 acres respectively (per County of Humboldt WebGIS). The parcels are within the County of Humboldt's (County) (U) zone with a general plan designation of Rural Agriculture (RA20). Land uses surrounding the parcel are comprised of residential, cannabis cultivation, and agriculture.

1.3. STATE AND LOCAL COMPLIANCE

1.3.1. STATE OF CALIFORNIA COMMERCIAL CANNABIS ACTIVITY LICENSE

Upon jurisdictional approval, EMPRESS FARMS will obtain a license through the Department of Cannabis Control (DCC).

1.3.2. STATE WATER RESOURCES CONTROL BOARD

The applicant is enrolled under State Water Resources Control Board (SWRCB) Water Quality Order WQ-2019-0001-SWQ (WDID 1_12CC414987).

1.3.3. HUMBOLDT COUNTY BUILDING DEPARTMENT

Building permits for the residence, septic, and accessory structures will be obtained from the County of Humboldt Building Department.

1.3.4. CAL FIRE

The subject property is located within the State Responsibility Area (SRA) for fire protection. The property has met all access requirements for emergency vehicles including a fire turn-around and pull-out area. The existing vegetation and trees meet the 100-foot defensible space around existing structures. All structures meet the 30-foot SRA property line setback requirement.

1.3.5. CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE

Lake and Streambed Alteration Agreement (LSAA #EPIMS-HUM-06638-R1).

1.3.6. CULTURAL RESOURCES

If buried archaeological or historical resources are encountered during construction or cultivation activities, EMPRESS FARMS shall call all work in the immediate area to a temporary halt, and a qualified archaeologist will be contacted to evaluate materials.

2. OPERATIONS MANAGEMENT

2.1. WATER STORAGE, SUPPLY AND USE

All irrigation and other agricultural water needs shall be sourced from rainwater harvest via the pond and from the well as backup. The well water will primarily be used for processing, manufacturing, and domestic uses.

Current water storage onsite is: (1) 2,500-gallon HDPE tank that is used to store well water. An additional 5,000-gal HDPE rain catchment tank is proposed for fire suppression and prevention. The water source for cannabis irrigation is a 1,097,350-gallon rain catchment pond located at (40.2742,-124.2169).

Water usage is projected to be 824,276 gallons. EMPRESS FARMS intends to use focused drip irrigation system or top-feed hand watering methods. Both methods will ensure that the most efficient use of water and minimize runoff.

Table 3.1 below outlines the estimated irrigation water usage for cultivation during a typical year. Variables such as weather conditions and cannabis strains will have an impact on water use.

Table 3.1: Estimated Annual Irrigation Water Usage (Gallons)											
Jan	Feb	Mar	April	May	June	July	Aug	Sept	Oct	Nov	Dec
4,710	4,775	11,803	67,746	145,739	93,580	136,310	103,388	115,075	113,839	20,939	6,372

The above table outlines the estimated water usage of cultivation during a typical year and does not consider variables such as weather conditions or specific cannabis strains which may have slight effects on overall water usage.

2.2. SITE DRAINAGE, RUNOFF AND EROSION CONTROL

EMPRESS FARMS has initiated a plan using the guidelines for best management practices (BMP's) set forth in accordance with SWRCB. A Site Management has been prepared and is on file with HCPD.

EMPRESS FARMS will utilize best management practices including, but not limited to:

1. Maintenance of roads, including rocking and armoring.
2. Cultivation facilities and spoil stockpiles will meet all required setbacks from riparian and wetland areas.
3. Regulated products will be safely stored with secondary containments.
4. Proper management of solid, liquid and cultivation waste.
5. Irrigation and fertilizer application will be applied at agronomic rates.

2.1. WATERSHED AND HABITAT PROTECTION

The cultivation area and associated structures will meet all required setbacks from riparian areas and provide a suitable buffer between cultivation operations and habitat.

Any grading and earthwork activities will be conducted by a licensed contractor in accordance with approved grading permits and the SMP. Maintenance and repair strategies for site development and road improvements will utilize best management practices, such as out sloping of roads, installation of water bars, and other appropriate measures to limit erosion and stormwater runoff. Cultivation sites will be developed in accordance with SWRCB's best management practices in order to prevent discharge of fertilizer, growing medium, or stormwater runoff.

2.2. ENERGY USE

Energy shall be required for cultivation (fans), ancillary nursery, wholesale nursery, drying and processing as applicable. Energy shall be provided via grid power either from PG&E or Redwood Coast Energy Authority (RCEA).

2.2.1 LIGHT POLLUTION CONTROL PLAN

EMPRESS FARMS shall shield the nursery greenhouse so that no light is visible from neighboring properties between sunset and sunrise. The light source should comply with the International Dark Sky Association standards for Lighting Zone 0 and Lighting Zone 1 and be designed to regulate light spillage onto neighboring properties resulting from backlight, uplight, or glare (BUG). Should the Humboldt County Planning Division receive complaints that the lighting is out of alignment or not complying with these standards, 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 has been repaired, inspected, and corrected as necessary.

2.2.2 NOISE SOURCE ASSESSMENT AND MITIGATION PLAN

The combined decibel level for all noise sources measured at the property line shall be no more than 50 decibels. Where applicable, sound levels must also show that

they will not result in the harassment of Marbled Murrelet or Spotted Owl species. Conformance will be evaluated using current auditory disturbance guidance prepared by the United State Fish and Wildlife Service, and further consultation where necessary.

2.3. USE AND STORAGE OF REGULATED PRODUCTS

EMPRESS FARMS will employ best management practices when storing, handling, mixing, application and disposal of all fertilizers. EMPRESS FARMS will follow required regulations in the storing, handling, mixing, application, and disposal of any and all other regulated products. The Agent In Charge responsible for all proper applications of regulated products and will be trained in accordance with the Department of Agriculture and issued through the Humboldt County Agricultural Department. All nutrients are stored and handled as per manufacturer's recommendation.

EMPRESS FARMS will enroll with the Humboldt County Environmental Health Department (HCEHD) as the Certified Unified Program Agency and will comply with inventory reporting and response plan requirements.

A copy of the Operations Plan will be kept on site by the Agent in Charge and will contain all material safety data sheets for all regulated products used on site (MSDS).

2.4. FUELS AND OILS

Gasoline, and motor oil are brought to site in small quantities as needed throughout the year in approved 5-gallon or 10-gallon containers. The containers are stored under cover at the outbuilding next to the residence. Petroleum products are used to power small engines (quad, generators, water pump, etc.). Spill kits with absorbent materials are stored at all locations where petroleum products are used, stored, or mixed.

2.5. WASTE MANAGEMENT PLAN

2.5.1. SOLID WASTE MANAGEMENT

Waste and recycling are stored south of the drying building labeled "D" on the attached site plan. Waste and recycling are removed from the property weekly to be disposed of at the Redway Transfer Station.

2.5.2. CULTIVATION WASTE AND SOIL MANAGEMENT

Cultivation waste such as root balls, branches, and leaves will be composted in the designated 20' x 100' area north of the nursery greenhouses. Spent potting soil will remain in the raised garden beds and covered with either tarps or planted with cover crop to prevent any unnecessary runoff or nutrient seepage in the winter months. The soils will be analyzed by a testing facility and after consultation will be amended and reused. New soil will be imported every other year or as necessary. Any used pots or bags will be collected and stored in the outbuilding for the winter season. All packaging material will be collected and disposed at an appropriate facility.

2.5.3. WASTEWATER MANAGEMENT

Portable restroom facilities and hand washing stations are available near the existing 26' x 32' metal building.

2.6. EMPLOYEE PLAN

There will be an average of 10 employees during peak seasonal operations with an average of 4 during non-peak operations.:

2.6.1. JOB DESCRIPTIONS AND EMPLOYEE SUMMARY

- *Agent in Charge*: Oversight and management of the entire facility. Responsibilities will include but not be limited to personnel, records keeping, budget, and liaison with State and County inspectors as needed.
- *Lead Cultivator*: Oversight and management of the day-to-day cultivation of medical cannabis. This will include but not be limited to irrigation, fertilization, pesticide management and harvest.

2.6.2. EMPLOYEE TRAINING AND SAFETY PRACTICES

All cultivation and harvesting activities are performed by trained employees on procedures for cultivation, harvesting, use of pruning tools, proper application and storage of pesticides and fertilizers. All staff area provided with proper hand, eye, body Personal Protective Equipment (PPE). Access to onsite cultivation and the drying and processing facilities are limited to authorized staff of EMPRESS FARMS. A copy of the Operations Plan will be kept on site by the Agent in Charge and will contain all material safety data sheets (MSDS), see Appendix F.

2.1. ON SITE HOUSING

There is currently no residential housing onsite. No new residential structures are proposed as part of this project. The project does maintain office space and an employee breakroom during working hours.

2.2. SECURITY PLAN

A locked gate is installed on the access road leading to the cultivation area. A *No Trespassing* sign is proposed near the gate. Motion sensor lighting outside of the cultivation and indoor cultivation facility is currently being considered to illuminate the cultivation and processing area as well as the entrance to the site. Additional measures being considered by EMPRESS FARMS are the installation of security cameras at the entrance to the site, residence, and processing facility with data storage for up to thirty (30) days with an alarm system for the processing facility and residence.

3. CULTIVATION PLAN

APP #	AREA (sf)	TYPE	MAP ID
16224	33,560	Proposed light-dep greenhouses	CA 1/CA2
16224	9,734	Proposed nursery greenhouses (ancillary)	N5
12698	43,560	Proposed light-dep greenhouses (RRR from 104-143-016)	CA 1/CA2
11418	10,000	Existing light-dep greenhouses to be relocated	CA 1
16224	304	Cloning ops (conex)	N1
16224	320	Mother plant garden (conex)	N2
16224	16	Proposed commercial cloning ops (conex)	
16224	4,320	Proposed commercial nursery greenhouse	N3
16224	1,088	Proposed seed production greenhouse	S
16224	4,480	Proposed research and development greenhouse	R&D

3.1.1. PROPAGATION

Initially, immature 'mother' plants will be started from seeds or clones obtained from a licensed nursery or sourced from the existing approved operation onsite. Thereafter, cuttings will be taken from mother plants in continuous growing cycles to maintain genetics. Mother plants will be maintained year-round until the following season. Clones intended for farm inventory or for wholesale will be taken from the mother plants beginning in February and will be relocated in their designated commercial or wholesale space until transplanting. Once the clones are replanted, they will be relocated into the ancillary nursery greenhouses as noted on the site plan and designated area for either wholesale or applicants farm inventory. The juvenile plants are irrigated using hand watering methods. After 3 weeks the clones are then transplanted into flowering greenhouses where they continue their vegetative cycle.

3.1.2. SEED PRODUCTION

Seeds for commercial sale will be produced from select plants intended for seed production. Seed plants will be housed in the designated seed-production space (1,088sf) as shown on the site plan.

3.1.3. RESEARCH AND DEVELOPMENT (R&D)

R&D will occupy the space adjacent the nursery greenhouses and seed production area (1,088SF). The R&D space will be used for strain and genetic trial and testing purposes and will not produce any product for sale. All plant materials after each trial shall be composted on-site and properly recorded.

3.1.4. HARVESTING, DRYING AND TRIMMING

Once the *Lead Cultivator* has determined the plants are at their peak, harvest procedures will be initiated. This entails removing the flowering branches from the plant and suspending them in the drying shed with ventilation supplied by oscillating fans. The drying process takes approximately one week. Dried flowers are then 'bucked' off the stalks and into manageable sizes for onsite and offsite processing.

The finished product is stored in the processing room before being processed onsite or transported to a licensed distribution facility. The waste product or 'trim', is collected and placed into bins to be weighed and labeled. The trim will be maintained inventory for manufacturing or transported offsite and to a licensed facility.

3.1.5. PROCESSING

Trimming will be done onsite using hand trimming methods by the seasonal employees of EMPRESS FARMS. The trimmed material will be placed into sterilized locking lid bins. These bins will be weighed, labeled, logged and sealed. The *Agent in Charge* will then deliver the sealed and logged bins to the designated secured area within the processing area.

The waste product or "trim" will be collected and placed into sterilized locking lid bins. These bins will then be weighed, labeled and sealed for transport and delivery to an offsite, contracted, licensed Facility. All weights will be recorded in the master log. Once securely in the Processed Material Holding Facility, the *Agent in Charge* and the *Lead Cultivator* will begin to weigh, vacuum seal and label individual one-pound packages for distribution. This procedure will be done with both the *Agent in Charge* and the *Lead Cultivator* present. After weighing, labeling and packaging each unit will be placed inside of a lock box or safe inside the designated secured area in the processing facility.

4. PRODUCT MANAGEMENT

4.1. PRODUCT TESTING

Samples will be selected from harvested cannabis strains to be tested by a licensed third-party lab and in accordance with state and local regulations. The finished product is labeled with the EMPRESS FARMS Logo and will include tracking.

4.2. PRODUCT INVENTORY AND TRACKING

All commercial cannabis will be tracked from clone to packaged product and accounted for and inventoried. Records will be kept at each phase of the harvest and processing operation for reporting and compliance with State and Local regulations. The information recorded for each harvest includes

- ✓ Weight of flowers, by product, and trim waste
- ✓ Weight of trimmed buds
- ✓ Staff identification
- ✓ Product ID numbers and product weight
- ✓ Physical location of plant material at all times

Reporting

The Master Log will contain reports on the harvest process, providing total weight harvested and trimmed at each weigh point, and compares that to final weight post-trim, including waste. Discrepancies are traced to the source, documented, and reported to the *Agent in Charge*. Transportation and Distribution Plan

EMPRESS FARMS intends to obtain licensure for Transport-Only Self Distribution. This will allow the following activities necessary for farm and business operations.

- Transporting of clones and immature plants within the project sites to each cultivation license.
- Transport of clones from the commercial wholesale nursery to other licensed cultivation sites.
- Transport of fresh, bucked or trimmed cannabis, bulk plant material and non-manufactured cannabis products to other distributors and/or manufacturers.

The *Agent in Charge* and the *Processing Manager* are responsible for performing a physical inventory of all packages being transported, ensuring that the physical inventory reconciles with the transport manifest, as well as the packaging material remains intact, and the labeling is secure. The licensed distributor must also create detailed transport manifests for the package distribution. The manifest contains details such as:

- Time of departure
- Time of arrival
- Product Identification and product weight
- Route to be travelled
- Origin and destination addresses

5. RESOURCES

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State of California. Guidelines for the Security and Non-Diversion of Marijuana Grown for Medical Use. August 2008.
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**Appendix A: Personnel
Acknowledgement Form**

Personnel Acknowledgement Form

It is the intention of EMPRESS FARMS, LLC is to create an enjoyable, safe and sane workplace. We feel that understanding and compliance with our Operations Manual will create just that. It is the responsibility of each employee to read and understand the procedures outlined herein. If after reading and reviewing this entire document, you have any questions please see the Agent in Charge immediately for clarification. By signing this document below, it confirms your reading, understanding and adherence to the entire **EMPRESS FARMS, LLC, OPERATIONS MANUAL FOR COMMERCIAL CANNABIS CULTIVATION.**

Employee sign and date

Agent in Charge sign and date

Appendix B: Site Plan

Appendix C: Pesticide Storage, Handling and Application Plan

EMPRESS FARMS LLC

Pesticide Storage, Handling and Application Plan

All pesticides, disinfectants, fungicides and agricultural chemical products used by the EMPRESS FARMS will maintain strict compliance with standards imposed by the Humboldt County Agricultural department and State of California Department of Agriculture Department and US Environmental Protection Agency. The Agent will maintain a current Private Applicators License with the Humboldt County Agricultural Department. This license will be posted and a copy will be entered into the Manager's Handbook and available for view by any regulatory agency deemed appropriate by Humboldt County or State of California.

Storage

All pesticides, disinfectants, fungicides and agricultural chemicals will be secured in an appropriate locked and labeled housing and accessed only by those employees that have been trained under the guidelines of *State of California Agricultural Department Personal Pesticide Application License* guidelines in handling, application and disposal of each product. Entry into the locked facility will be logged by the Lead Cultivator. This log will include: The name of employee removing the material, the date and time of day and the amount and type of pesticide removed.

Any over-the-counter pesticide products may be applied by either the *Agent* or trained personnel in accordance with State of California Agricultural Department's Private Applicators License criteria. Training of employees will be in accordance with *State of California Private Applicators License* criteria. These products will be limited to safe chemicals recognized by the Humboldt County Department of Agriculture, the California Department of Agriculture and the Federal EPA. Copies of all MSDS and labels will be clearly identified and maintained onsite at all times in the Lead Cultivators Handbook. EMPRESS FARMS will make available to its employees saline eye wash stations where ever pesticides are stored.

Handling

The handling of pesticides/fungicide will be done in accordance with *State of California Agricultural Department Personal Pesticide Application License* guidelines. Handling will include, transportation from retail outlet to cultivation site, logging and entering into secured, labeled storage, mixing, preparation, transport to application locations on site, application and disposal. These activities will be logged into the Master Log immediately by the *Lead Cultivator*. By having a strictly monitored Pesticide Management plan in place, EMPRESS FARMS will strive for a "ZERO SPILL POLICY". In the event of a spill, EMPRESS FARMS will maintain on site an Emergency Containment and Clean Up policy in accordance with *State of California Agricultural Department Personal Pesticide Application License* guidelines.

OPERATIONS MANUAL

EMPRESS FARMS

EMPRESS FARMS will also maintain on site in a clearly marked and accessible secure location any materials deemed necessary for clean up or spill containment and abatement. EMPRESS FARMS will maintain a well-marked and easily accessible plan for accidental personnel exposure as well as proper applicators training as set forth by *State of California Agricultural Department Personal Pesticide Application License* guidelines in the event of such accidental exposure. Any spills or accidental personnel exposure will be reported to the appropriate agencies as deemed necessary by *State of California Agricultural Department Personal Pesticide Application License* guidelines. These incidents will also be documented into the Master Log by the Lead Cultivator.

Application

All application will be done in accordance with *State of California Agricultural Department Personal Pesticide Application License* guidelines. A copy of all applications will be manually entered into the Master Log. Proper eye, face and body protective wear as well as approved respirators shall be provided by EMPRESS FARMS and worn and available at all times during application of all pesticides/fungicides. A preventive application program per manufactures directions and label requirements will be established from the onset of the plants initial transplant. Application frequency will vary with each phase of growth or infestation pressure. This will help to ensure the least amount of pesticide/fungicide will be needed. Application will end no less than thirty days before harvest or by manufactures able requirements, whichever is longer.

During application factors such as wind, temperature and humidity will be taken into account. This will ensure that the pesticide/fungicide is used in the most efficient manner and will mitigate drift. Pesticides will be applied using a variety of methods including atomizer, back pack sprayer and air less sprayer. Nozzle types and pressure settings will be determined by manufacture directions. Anywhere pesticide is applied EMPRESS FARMS will provide a saline eye wash station in case of accidental exposure.

Disposal

Any mixed solutions will be used to their entirety. In the event there is a surplus of used mixed solution, it will be disposed of according to guidelines set forth by *State of California Agricultural Department Personal Pesticide Application License* procedures. After the applicator has finished application, the protective wear shall be discarded and disposed according to *State of California Agricultural Department Private Applicators License* guidelines. All bottles, containers or receptacles that have come into contact with, or contained, any product that falls under the state's guidelines for pesticides, disinfectants, fungicides and agricultural chemicals shall be washed, rinsed and or disposed of according to strict EPA and *State of California Agricultural Department Private Applicators License* guidelines. Proper training of employees in rinsing, washing and disposal shall be overseen by the Licensed Lead Cultivator on premise. All washing, rinsing or disposal of any product packaging, applicator or protective clothing will be logged into the Master Log.

**Appendix D: Emergency
Procedures and Contact
Information**

**Emergency Procedures Instructions
EMPRESS FARMS, LLC**

The first priority in the event of an emergency is for the safety of all people present. Move quickly out of area danger. Meet at assigned meeting place to get a headcount. Enact Emergency Procedures.

Emergency Phone Numbers

Dial 911 for Fire/Police/Ambulance:

- 1. Tell the operator which emergency service you want**
- 2. Wait until the service answers**
- 3. Give the following address:**

**37593 Mattole Road
Petrolia, CA 95558**

- 4. Do not hang up until told to do so by the 911 Operator**

Other Emergency Contacts

Humboldt County Sheriff: 707-445-7251

**Honeydew Volunteer Fire Dept:
Humboldt County HazMat: 707-445-6215**

Humboldt County Ag Dept.: 707-441-5260

Fire and Emergency Procedures Checklist

You must know and understand what to do if a fire occurs. Your first concern is the immediate safety of visitors and staff; secondly, the need to call emergency services and then to contain the fire but only if it is safe to do so. If help is available, allocate responsibilities to others to create a competent firefighting team.

- Evacuate people from the area
 - If it is safe to do so, switch off power to all equipment
 - Call the fire department (dial 911)
 - If a small fire, use your fire extinguisher if it is safe to do so – try to contain and extinguish the fire
 - If the fire is near a fuel tank, do not attempt to extinguish the fire – retreat to a safe distance
 - Be prepared to direct the fire service to the scene
-

Spill Procedures Checklist

You must know and understand what to do if a spill occurs. Your first consideration is the immediate safety of visitors and staff; secondly, the need to call emergency services and then contain the spill if it is safe to do so. If help is available allocate responsibilities to others to create a competent team to deal with the spill.

- If the spill is from the hose or tap, shut the isolation valve
 - Warn people in area of the spill – evacuate if necessary
 - Remove sources of ignition if flammable substance present
 - Evaluate the spill – only respond if you believe it is safe to do so
 - Refer to the safety data sheet or call on an approved handler or other specialists for advice
 - If necessary, call emergency services and advise local authority
 - Put on safety equipment (e.g. overalls, boots, gloves, eye protection, etc.)
 - Contain the spill if it is safe to do so – utilize a drip tray or oversize container or spill kit to soak up the substance
 - Dispose of waste safely as set out in the material safety data sheet
-

Incident Reporting

Every accident resulting in injury or damage to farm property must be reported to your manager immediately.

Respond to the accident promptly and positively

Collect relevant information about the accident

Develop and take remedial actions

Complete insurance claims and reports required

First Aid

- A first aid kit must be kept on the premises and maintained
- All staff must know basic first aid procedures

Minor Injury Accidents

- Minor cuts and abrasions must be attended to immediately
- If in doubt contact a physician or call 911

Serious Injury Accidents

- Call an ambulance immediately (dial 911)
- Seek the assistance of any first responder
- Stabilize Victim
- Advise your manager

Property Damage

- All damage to farm property must be reported to your manager
-

Emergency First Aid-Procedures

Control of Bleeding

1. Direct pressure – use your hand(s).
2. Elevate (raise) the limb
3. Apply a pad and firm bandage.
4. If necessary use clean rags or clothing.

Remember!!

- *Always check circulation below the bandage!*
- *If there is tingling, numbness or blueness loosen the bandage.*

Management of Burns

1. Cool the burnt area with cool water for 10-15 minutes
2. If necessary, cover the burn with a clean dressing or plastic wrap before removing person to medical aid.

Remember!!

- *Do not burst blisters.*
 - *Do not remove clothing that is stuck.*
 - *Do not apply creams*
-

Management of Eye Injuries

Foreign bodies in the eye(s)

- 1. Wash the eye(s) with eyewash or clean water.**
- 2. If the foreign body is stuck to the eye DO NOT attempt remove.**
- 3. Place covering over the eye and obtain medical attention.**

Management of Chemicals in Eye(s)

- 1. Wash the eye(s) with clean cool water for at least 15 minutes.**
- 2. Wash from near the nose outward.**
- 3. Always wash under the upper eyelid.**
- 4. Obtain medical attention**

Breathing

If a person is breathing but unconscious turn them on their side to prevent tongue swelling or vomit from obstructing airway.

If person is *not breathing*

- *Check airway for blockage and clear***
 - *Call 911***
-

• *Administer CPR*

Location of Firefighting Equipment, Spill and First Aid Kits

A fire extinguisher is located in the following places:

- *All Cold Frames*
- *Nutrient and Fertilizer Storage*
- *Drying and Processing Facility*

A first aid kit is located in the following places:

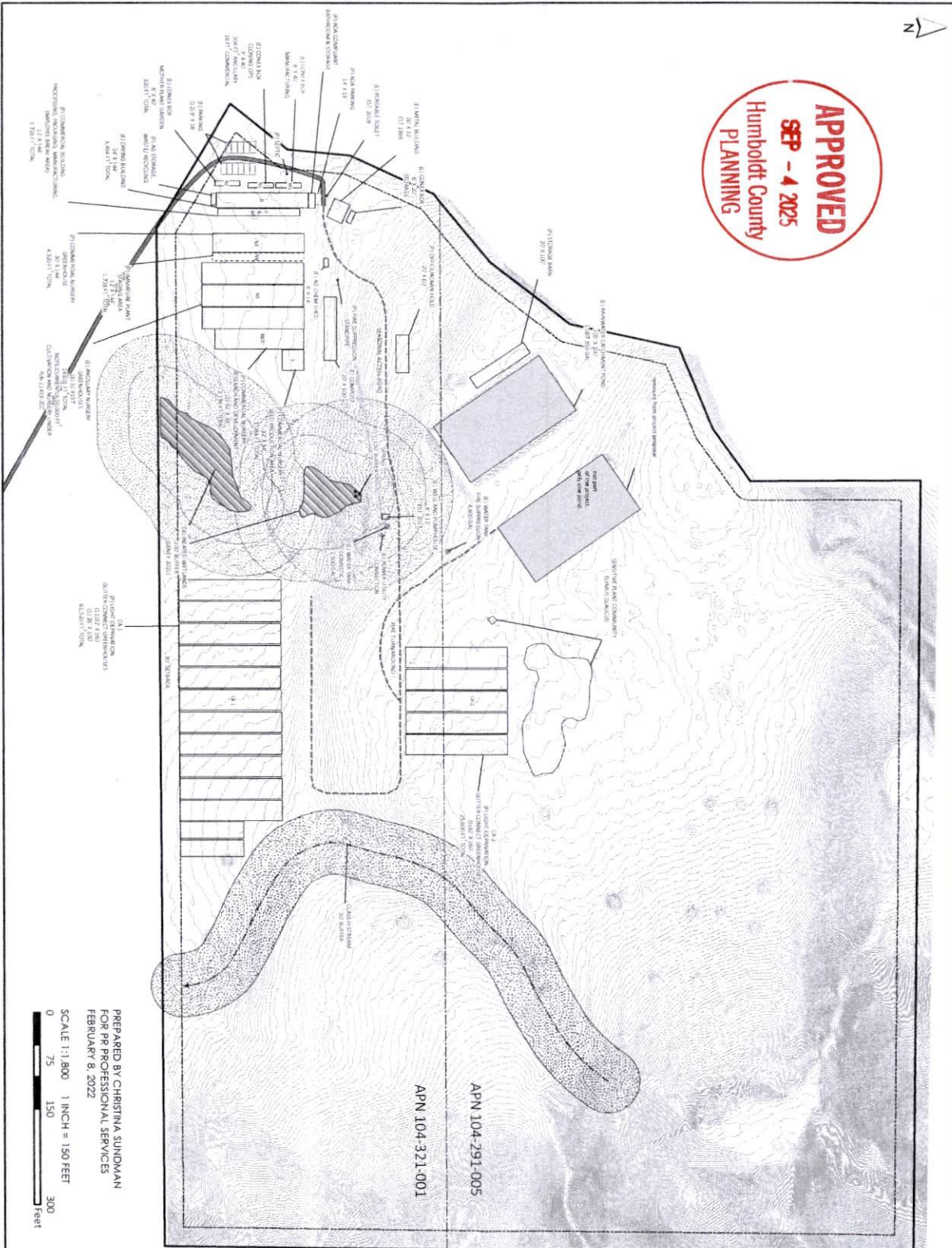
- *Cultivation Site*
- *Drying and Processing Facility*

A spill kit is located in the following places:

- *Cultivation Site*
 - *Processing Facility*
-

**Appendix E: Cultivation
Activities Schedule**

**Appendix F: Material Data
Safety Sheets**



PREPARED BY CHRISTINA SUNDMAN
FOR PR PROFESSIONAL SERVICES
FEBRUARY 8, 2022
SCALE 1"=1,800 1 INCH = 150 FEET
0 75 150 300 feet

SITE PLAN

- APPLICANT**
EMPRESS FARMS, LLC (# 16224)
PO BOX 7
PETROLIA, CA 95558
- OWNER**
NEW JERUSALEM LLC
PO BOX 113
PETROLIA, CA 95558
- SITE ADDRESS**
37593 MATTOLE ROAD
PETROLIA, CA 95558
APN 104-321-001/104-291-005
- CANNAVIS ACTIVITIES**
1. CULTIVATION: TOTAL 87,120 FT.
10,000 FT. EXISTING (PIN-11418-JCI)
33,560 FT. PROPOSED EXPANSION
43,560 FT. RRR (# 12698/104-1430 6)
- 2. ANCILLARY NURSERY: TOTAL 14,905 FT.**
NURSERY GH (# 16224) 9,734 FT.
NURSERY GH (# 12694/APN 104-311-019) 4,867 FT.
CLONING OPS 304 FT.
- 3. COMMERCIAL NURSERY: TOTAL 7,600 FT.**
NURSERY GH 4,320 FT.
SEED PRODUCTION 1,088 FT.
RESEARCH AND DEVELOPMENT 2,176 FT.
CLONING OPS 16 FT.
- 4. PROCESSING**
- 5. MANUFACTURING**
INCLUDES INFUSIONS
- GENERAL NOTES:**
1. DRAWING SCALE AS NOTED. WRITTEN DIMENSIONS SHALL TAKE PRECEDENCE OVER SCALED DIMENSIONS.
 2. THIS IS NOT A BOUNDARY SURVEY. BOUNDARY INFORMATION DEPICTED HAS BEEN OBTAINED FROM HUMBOLDT COUNTY GIS DATA.
 3. THERE ARE NO WATER CROSSINGS ON THE SUBJECT PARCEL.
 4. THERE ARE NO RESIDENCES WITHIN 300 FEET OF CULTIVATION AREAS.
 5. THERE ARE NO SCHOOLS, BUS STOPS, PUBLIC LANDS, OR KNOWN TRIBAL RESOURCES WITHIN 600 FEET OF THE CULTIVATION AREAS.
 6. GREENHOUSES ARE LINKED AT ROOF-EDGE WHERE SHOWN ON PLAN. CULTIVATION AREA REFLECTS INTERIOR DIMENSIONS WHICH ARE LESS THAN THE STRUCTURE FOOTPRINT BY 2 FEET ON EACH SIDE. EACH GREENHOUSE HAS A