



**COUNTY OF HUMBOLDT**  
**PLANNING AND BUILDING DEPARTMENT**  
**CURRENT PLANNING DIVISION**

---

3015 H Street Eureka CA 95501  
Phone: (707)445-7541 Fax: (707) 268-3792

Hearing Date: November 4, 2021

To: Humboldt County Planning Commission

From: John H. Ford, Director of Planning and Building Department

Subject: **Saad Abdelmegid**  
Application Number PLN-11955-SP  
Assessor's Parcel Number (APN) 216-392-021  
Alderpoint area

**Table of Contents**

**Page**

Agenda Item Transmittal	2
Recommended Action and Executive Summary	3
Draft Resolution	5
Maps	
Topo Map	7
Zoning Map	8
Aerial Map	9
Attachments	
Attachment 1: Incomplete Letter	10
Attachment 2: Violation Letters	13
Attachment 3: Email Correspondence 2019	19
Attachment 4: Email Correspondence 2020	21
Attachment 5: Cultivation and Operations Plan	24
Attachment 6: Site Plan	37

Please contact Abbie Strickland, Planner, at 707-441-2630 or by email at [astrickland@co.humboldt.ca.us](mailto:astrickland@co.humboldt.ca.us) if you have any questions about the scheduled public hearing item.

## AGENDA ITEM TRANSMITTAL

Hearing Date	Subject	Contact
November 4, 2021	Special Permit	Abbie Strickland

**Project Description** The applicant is seeking a Special Permit for 10,000 square feet of existing commercial cannabis cultivation of which 7,440 square feet is existing mixed light cultivation, and 2,560 square feet is existing outdoor cultivation. Water for irrigation is sourced from an existing on-site well. Projected annual water usage totals 174,000 gallons. Water is stored hard tanks for a total of 5,250 gallons of available storage. Processing, including drying and trimming, occurs at an off-site processing facility at APN 216-261-053. Electricity is sourced from generators.

**Project Location:** The project is located in Humboldt County, in the Alderpoint area, on the east side of Rancho Sequoia Drive, approximately 0.2 miles east from the intersection of Rancho Sequoia Drive and a private driveway, on the property known as 3955 Rancho Sequoia Drive.

**Present Plan Land Use Designations:** Residential Agriculture (RA5-20), Density: 5-20 acres per unit, 2017 General Plan, Slope Stability: Moderate Instability (2).

**Present Zoning:** Forestry Recreation (FR-B-5(10))

**Application Number:** PLN-11955-SP

**Assessor Parcel Numbers:** 216-392-021

**Applicant**

Saad Abelmegid  
P.O. Box 233  
Alderpoint, CA 95511

**Owner**

Saad Abelmegid  
P.O. Box 233  
Alderpoint, CA 95511

**Environmental Review:** The proposed project is statutorily exempt from the provisions of the California Environmental Quality Act (CEQA) per section 15270 (Projects Which Are Disapproved) of the CEQA Guidelines.

**State Appeal Status:** The proposed project is NOT appealable to the California Coastal Commission

**Major Issues:** Inconsistency with Humboldt County Code, lack of adequate information to support making required findings for approval, and uncooperative applicants.

**Saad Abdelmegid**  
PLN-11955-SP  
APN: 216-392-021

**Recommended Commission Action:**

1. Describe the application as a public hearing;
2. Request that staff present the project;
3. Open the public hearing and receive testimony; and
4. Close the hearing and adopt the Resolution to do the following:

Find the project exempt from environmental review pursuant to State CEQA Guidelines Section 15270, make the finding that the project site is in violation of Humboldt County Code and that the applicant has not provided the County the information necessary to make the required findings for approval and deny the Saad Abdelmegid project.

**Executive Summary:** For Planning Commission consideration is an application under the Commercial Medical Marijuana Land Use Ordinance (CMMLUO) for a Special Permit for 10,000 square feet of existing outdoor and mixed light commercial cannabis cultivation. The Saad Abdelmegid application was submitted on December 16, 2016.

Staff is recommending denial of the project because the applicant has been unresponsive to County requests for information and has violated county ordinance. The submitted application does not include evidence to support making the required findings under Section 312-17.1 of the Humboldt County Code (required findings for all permits). This project is not consistent with section 314-55.4.8.1, which states that permittees and operators shall conduct all commercial cannabis activities in compliance with all applicable state laws and County ordinances. By initiating cultivation without the required County permit and State License, the applicant has violated the Humboldt County Code, as well as violated various provisions of state law as described below.

On February 2, 2017, the applicant received an *Incomplete Letter* outlining the documents that were required to be submitted to advance the application. No response was received by the applicant, so a Withdrawal Notice was sent to the applicant on August 9, 2017. The applicant promptly responded to the Withdrawal Notice by submitting some of the requested documentation. No further progress was made on the application and the permit was transferred to the current applicant on June 3, 2020. The current applicant has been unresponsive.

On June 3, 2020, the applicant received a *Violation Letter* for the unauthorized cultivation of 9,600 square feet of mixed light cultivation during the 2019 cultivation season. The letter directed the applicant to pay the penalty amount of \$38,400 to resolve the violation or provide evidence to the Planning Department that unauthorized cultivation did not occur. The Planning Department did not receive a response to the *Violation Letter*. No further progress was made on the application on behalf of the Planning Department due to the existing violation.

On October 12, 2021, the violation had not been resolved so planning staff resubmitted the *Violation Letter* to the applicant via email and sent a copy to through the U.S. Postal Service. This letter directed the applicant to pay the penalty amount of \$38,400 to resolve the violation and submit the required information to complete the application. Alternatively, the applicant could withdraw the application and remove all cultivation related infrastructure and improvements. The assigned planner attempted to call and email the applicant with the contact information on file. No response was received; therefore, the Planning Department scheduled the project for the November 4, 2021, Planning Commission hearing with a recommendation of denial.

On October 20, 2021, the applicant emailed the assigned planner from the same email that had previously been used to contact the applicant. The applicant stated they had attempted to reach County staff previously, although the Planning Department has no record of these attempts.

On October 21, 2021, the assigned planner attempted to call the applicant. The applicant could not be reached. The assigned planner notified the applicant to contact them immediately and provided their direct contact information, no response was received.

On October 26, 2021, the assigned planner emailed the applicant once more to notify them of the hearing date and again attempted to call the applicant; no response was received.

This project is not consistent with section 314-55.4.8.1, which states that permittees and operators shall conduct all commercial cannabis activities in compliance with all applicable state laws and County ordinances. By initiating cultivation without the required County permit and State License, the applicant has violated the Humboldt County Code, as well as violated various provisions of state law as described below.

**Summary:** The submitted application does not include enough evidence to support making the required findings under Section 312-17.1. Because cultivation was initiated without a permit, the project is not consistent with 314-55.4.8.1, which states that permittees and operators shall conduct all commercial cannabis activities in compliance with all applicable state laws and County ordinances. Finally, the department has attempted to contact the applicant and the applicant has failed to respond.

**ALTERNATIVES:** The Planning Commission could elect to direct staff to continue to attempt to reach the applicant to resolve the outstanding issues and continue processing the application in accordance with HCC Section 312-4.1 et seq. However, given that staff has made multiple attempts to contact the applicant and they have been unresponsive, staff does not recommend this alternative.

**RESOLUTION OF THE PLANNING COMMISSION  
OF THE COUNTY OF HUMBOLDT  
Resolution Number: 21-  
Records Number: PLN-11955-SP  
Assessor's Parcel Number: 216-392-021**

**Resolution by the Planning Commission of the County of Humboldt certifying compliance with the California Environmental Quality Act and denying the Saad Abdelmegid Special Permit.**

**WHEREAS, Saad Abdelmegid**, submitted an application on December 16, 2016, for a Special Permit for 10,000 square feet of pre-existing outdoor and mixed light commercial cannabis cultivation; and

**WHEREAS**, the property has been operated in violation of the county ordinance and state law; and

**WHEREAS**, the project is statutorily exempt from environmental review pursuant to Section 15270 of the State CEQA Guidelines (projects which are disapproved); and

**WHEREAS**, the Humboldt County Planning Commission held a duly-noticed public hearing on November 4, 2021, and reviewed, considered, and discussed the application for a Special 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 10,000 square feet of pre-existing outdoor and mixed light commercial cannabis cultivation.

**EVIDENCE:**                a) Project File: PLN-11955-SP
- 2. FINDING:**                    **CEQA.** The requirements of the California Environmental Quality Act have been complied with. The project is statutorily exempt from CEQA as it is a project which is not approved.

**EVIDENCE:**                a) Section 15270 of the CEQA Guidelines

**FINDINGS FOR SPECIAL PERMIT**
- 3. FINDING**                    The proposed development is not consistent with the requirements of the CMMLUO Provisions of the Zoning Ordinance.

**EVIDENCE**                a) The applicant has violated Humboldt County Code Section 314-55.4.8.1 which states that permittees and operators shall conduct all commercial cannabis activities in compliance with all applicable state laws and County ordinances. The site has undertaken commercial cannabis cultivation without the necessary county and state authorization and has been unresponsive to county direction for resolution of violations.

   b) By cultivating without the required state license, the applicant has violated various provisions of state law.

   c) No substantial evidence demonstrating compliance with the Commercial Medical Marijuana Land Use Ordinance (CMMLUO) has been submitted.

**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
- Denies the Special Permit for Saad Abdelmegid, based upon the Findings and Evidence.

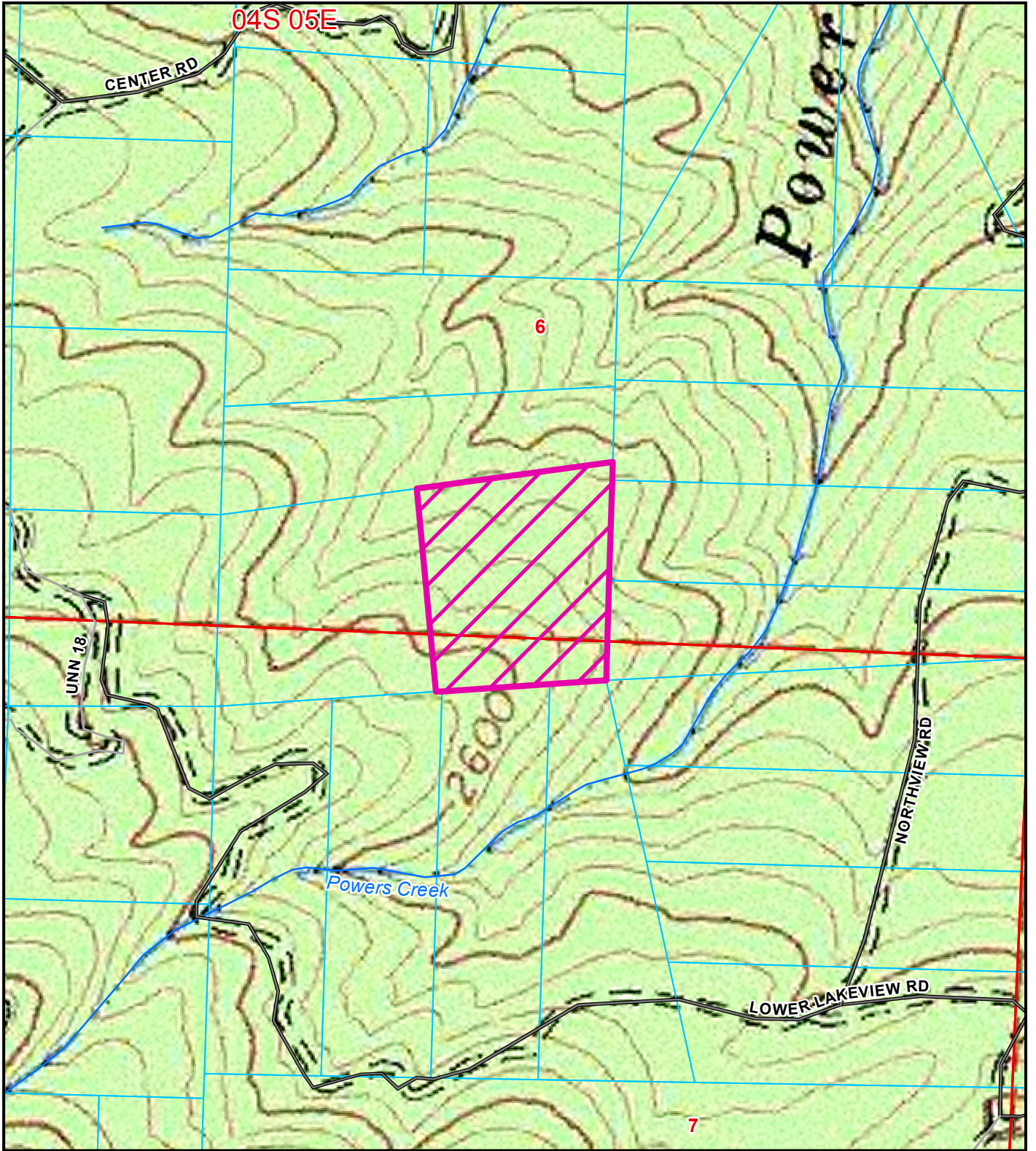
Adopted after review and consideration of all the evidence on November 4, 2021.

The motion was made by COMMISSIONER \_\_\_\_\_ and second by COMMISSIONER \_\_\_\_\_ and the following ROLL CALL vote:

AYES:	COMMISSIONERS:
NOES:	COMMISSIONERS:
ABSENT:	COMMISSIONERS:
ABSTAIN:	COMMISSIONERS:
DECISION:	

I, John 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 Ford, Director  
 Planning and Building Department



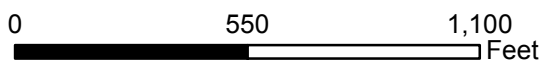
Project Area = 

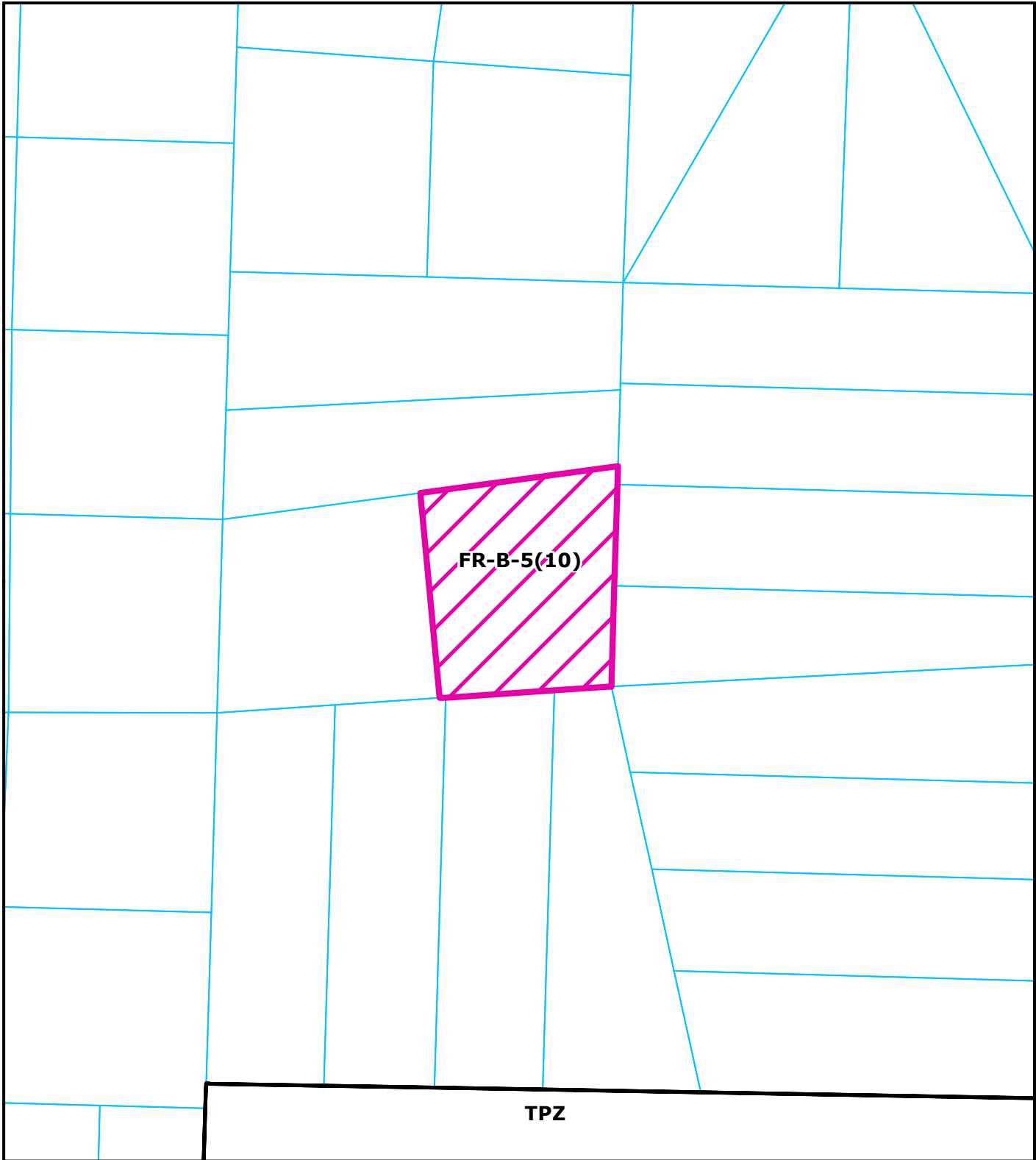
**TOPO MAP  
 PROPOSED SAAD ABDELMEGID  
 ALDERPOINT AREA  
 SP-16-357**

**APN: 216-392-021  
 T04S R05E S6; S7 HB&M (FORT SEWARD)**



This map is intended for display purposes and should not be used for precise measurement or navigation. Data has not been completely checked for accuracy.





**FR-B-5(10)**

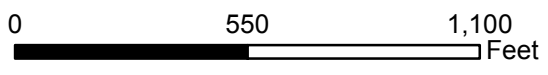
**TPZ**

**Project Area =** 

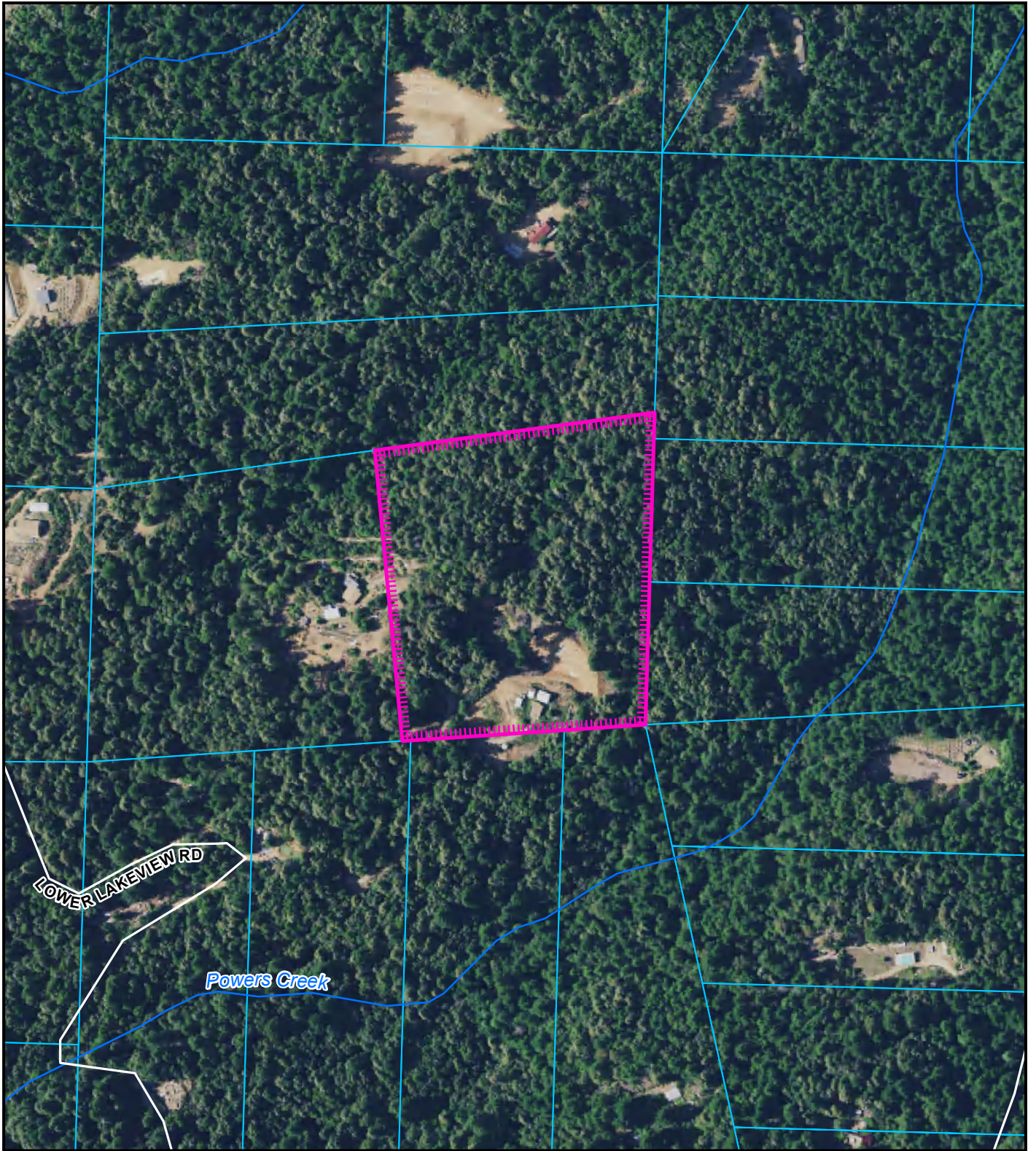
**ZONING MAP**  
**PROPOSED SAAD ABDELMEGID**  
**ALDERPOINT AREA**  
**SP-16-357**  
**APN: 216-392-021**  
**T04S R05E S6; S7 HB&M (FORT SEWARD)**



This map is intended for display purposes and should not be used for precise measurement or navigation. Data has not been completely checked for accuracy.







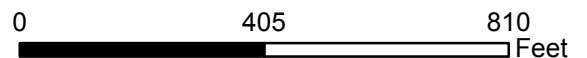
**AERIAL MAP  
PROPOSED SAAD ABDELMEGID  
ALDERPOINT AREA  
SP-16-357**

**APN: 216-392-021  
T04S R05E S6; S7 HB&M (FORT SEWARD)**

**Project Area =** 



This map is intended for display purposes and should not be used for precise measurement or navigation. Data has not been completely checked for accuracy.



**ATTACHMENT 1**  
**INCOMPLETE LETTER**



HUMBOLDT COUNTY  
PLANNING AND BUILDING DEPARTMENT  
CANNABIS SERVICES DIVISION

3015 H STREET, EUREKA, CA 95501  
FAX: (707) 268-3792 PHONE (707) 445-7541

2/9/2017

**Sacred Flower Farms**

**Sarah Graff**

**PO Box 13**

**Alder Point, CA 95511**

RE: Permit Application No. 11955 APN 216-392-021-000

Dear Sacred Flower Farms,

Thank you for your Commercial Cannabis Permit Application. After an initial review, the submittal did not contain all of the required information and has been deemed incomplete. The items below must be provided before we can begin processing your application. For a complete version of the application checklist please visit: <http://humboldt.gov/DocumentCenter/View/53497>

✓ **Additional Payments**

Check(s) in the amount of \$30.00 payable to the Tribal Historic Preservation Office (THPO) for each of the following tribes: \$30 to Bear River Band THPO.

✓ **Application Materials**

Indemnification and Hold Harmless Agreement; Commercial Medical Marijuana Land Use Ordinance Acknowledgement Form; Signed Affidavit - Commercial Cannabis Activity; Documentation of cultivation activities occurring prior to January 1, 2016 (not required for new cultivation).

✓ **Evidence of Ownership or Authorization**

Evidence of ownership is needed including, but not limited to: Copy of current deed for the property; Copy of lease or similar instrument authorizing application for permits; Copy of ownership instrument, showing all owner names (if more than one owner); Legal documentation describing the composition of the organization showing those empowered to direct the affairs and those holding an interest in the organization.

✓ **Site Plan of Entire Parcel Showing**

A site plan is needed including, but not limited to: Owner's name and assessor's parcel number; Easements; Natural waterways including streams, springs, ponds, culverts, and any other water features; Location and area of cultivation or commercial activity; Setbacks of cultivation area from property lines; Access roads; Graded flats; Buildings labeled as to type and date of construction including whether they will be used for any cultivation or processing activity; Water storage structures labeled as to type, capacity, and date of construction; Water diversions including culverts, ponds, dams, and other ground disturbance from water diversion; Dimensions showing 600 square feet around the cultivation site, including distances from nearby schools, school bus stops, places of worship, public parks, Tribal Cultural Resources, and off-site residences within 300 feet.

✓ **Cultivation and Operations Plan**

An operation plan is needed including, but not limited to: Description of water source, storage, irrigation plan, and projected water usage; Description of site drainage, including runoff and erosion control measures; Detail of measures taken to ensure protection of watershed and nearby habitat; Protocols for proper storage and use of fertilizers, pesticides, and other regulated products utilized; Description of cultivation activities (e.g. outdoor, indoor, mixed light); Processing Plan; If mixed light cultivation proposed, identify number of cultivation cycles; Schedule of activities during each month of the growing and harvesting season, including projected generator use; Security Plan.

✓ **Indoor Cultivation Facilities**

Information on indoor facilities is needed including, but not limited to: Identify source of electrical power; Include description of how it will meet energy requirements described in section 314-55.4.8.3 of the Zoning Code.

✓ **Retirement, Remediation, and Relocation (if applicable)**

If your project includes a Retirement, Remediation, and Relocation please consult the application checklist found at: <http://humboldt.gov/DocumentCenter/View/53497>

✓ **Other Permits, Licenses, and Documents (if applicable)**

If applicable, please include: A copy of the statement of water diversion, or other permit, license or registration filed with the State Water Resources Control Board, Division of Water Rights; Copy of Notice of Intent and Monitoring Self-Certification and other documents filed with the North Coast Regional Water Quality Board; Streambed Alteration Permit obtained from the Department of Fish and Wildlife; Copy of County of Humboldt well permit; If parcel is zoned FR, U or TPZ, or involves conversion of timberland, a copy of less-than-3-acre conversion exemption or timberland conversion permit, approved by CAL-FIRE. For existing operations occupying sites created through prior unauthorized conversion of timberland, evidence may be provided showing the landowner has completed a civil or criminal process and/or entered into a negotiated settlement with CAL-FIRE.

Please assemble all requested material and submit as a complete package. Once the items above are submitted and the application is determined to be complete, we will refer it to the appropriate agencies for comment. Additional issues or concerns may be identified through the referral and/or environmental review process. To help in this effort, the Division of Environmental Health has provided a checklist which has been enclosed.

**The filing of an application does not authorize the applicant to engage in any new commercial medical marijuana cultivation, processing, manufacture or distribution activity.** No such activity shall commence until the application has been processed to decision and all requisite clearances, permits and/or licenses have been secured.

If you submitted an update to your application that is not reflected in this letter, it may be because that additional information has not yet been added to your project file. Rest assured, if we received something, it will be added to your project file. Again please bring all the items indicated in this letter to make your application complete. If you have any questions regarding this letter please call the Planning and Building Department at (707)445-7245.

Sincerely,



Rodney Yandell, Planner  
Cannabis Services

**ATTACHMENT 2**  
**VIOLATION LETTER**



**COUNTY OF HUMBOLDT**  
**PLANNING AND BUILDING DEPARTMENT**  
**CANNABIS SERVICES DIVISION**

---

3015 H Street Eureka CA 95501  
Fax: (707) 268-3792 Phone: (707) 445-7541

June 3, 2020

Saad Abdelmegid  
PO Box 253  
Alderpoint, CA 95511

**RE: Permit Application No. 11955, Key APN 216-392-021**

Dear Saad Abdelmegid,

A letter was sent to the previous application-holder on the parcel. This letter and the revised due dates included herein supersedes the May 11, 2020 letter.

As part of its ongoing review of cannabis projects, the Planning and Building Department evaluates satellite imagery of cultivation areas. That review process has identified a potential violation for the above referenced project. The County is committed to helping all cannabis applicants remedy violations and comply with local and state regulations. Your immediate attention is requested to resolve the issues described below.

According to our records, there are no active permits to cultivate currently in place at this property. Analysis of satellite imagery has concluded that cultivation occurred without the required permits and approvals. Specifically, unauthorized cultivation consisting of 9,600 square feet of mixed light cultivation occurred during the 2019 season.

The penalty fee for the unauthorized cultivation is calculated by multiplying the area of unauthorized cultivation by twice the Measure S Excise Tax (\$2 a square foot for outdoor and \$4 a square foot for mixed light cultivation). The total penalty for the unauthorized cultivation described in this letter is \$38,400. The area of unauthorized cultivation must also be removed and restored. Please also be advised that repeated unauthorized cultivation may lead to denial of the permit application.

Response Required

The following options are available, and a response must be communicated to the Department in writing within 30 days:

1. If the aerial imagery analysis is accurate, resolve the violation by paying the penalty fee and removing the unauthorized cultivation area including infrastructure; OR
2. Withdraw the application, remove all cannabis related fixtures and equipment from the parcel, and remediate, restore, and restock any disturbed area to their natural condition; OR
3. Respond to this letter with clear and substantial evidence to establish why the unauthorized cultivation did not occur.

Responses must be received within 30 days of the date of this letter. If no response is received within 30 days of the date of this letter, the application will be prepared for hearing with the evidence presently in the file. Staff will recommend denial and refer the project for enforcement actions.

If you have questions about this letter, please contact Keenan Hilton at (707) 445-7541 or at KHilton@co.humboldt.ca.us.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Cliff Johnson', with a long horizontal line extending to the right.

Cliff Johnson  
Supervising Planner

ENC: Satellite Imagery

**PLN-11955-SP / APN 216-392-021**  
October 2019 – Planet

**Cultivation Areas:**

**A-B:** (2) 20 X 100 GH = 4,000 ft<sup>2</sup>  
**C-F:** (4) 20 X 70 GH = 5,600 ft<sup>2</sup>

**Total 2019 Cultivation: 9,600 ft<sup>2</sup> Mixed Light**







PLN-11955-SP / APN 216-392-021  
May 2019 – Planet



**COUNTY OF HUMBOLDT**  
**PLANNING AND BUILDING DEPARTMENT**  
**CANNABIS SERVICES DIVISION**

---

3015 H Street Eureka CA 95501  
Fax: (707) 268-3792 Phone: (707)445-7541

October 12, 2021

Saad Abdelmegid  
P.O. Box 233  
Alderpoint, CA 95511

RE: Permit Application No. 11955, APN 216-392-021

Saad Abdelmegid,

In reviewing your application for completeness, it has been determined that there is an existing unresolved violation for the above-mentioned project. The County is committed to helping all cannabis applicants remedy violations and comply with local and state regulations. **Your immediate attention is requested to resolve the issues described below.**

A violation letter was issued to the applicant on June 3, 2020, for the unauthorized cultivation of 9,600 square feet during the 2019 cultivation season. The penalty fee for the unauthorized cultivation totals \$38,400. The Planning Department has not received payment which is required to resolve the violation and allow for continued processing of your application.

Response Required

**The following options are available, and a response must be communicated to the Department in writing within 10 calendar days:**

1. Withdraw the application, remove all cannabis related fixtures and equipment from the parcel, and remediate, restore, and restock any disturbed area to their natural condition; OR
2. Contact the Planning Department to facilitate payment to resolve the violation and work with the assigned planner to make the application complete.

**Responses must be received within 10 calendar days from the date of this letter.** If no response is received within 10 days of the date of this letter, the application will be prepared for hearing with the evidence presently in the file. Staff will recommend denial and refer the project for enforcement actions.

If you have questions about this letter, please contact resolution liaison Abbie Strickland at (707) 441-2630 or at [astrickland@co.humboldt.ca.us](mailto:astrickland@co.humboldt.ca.us).

Sincerely,

Cliff Johnson  
Supervising Planner

**ATTACHMENT 3**  
**EMAIL CORRESPONDENCE 2020**

**FW: 216-392-021 11955**

Hilton, Keenan <KHilton@co.humboldt.ca.us>

Tue 10/19/2021 1:12 PM

To: Strickland, Abigail <astrickland@co.humboldt.ca.us>

📎 1 attachments (224 KB)  
11955 Violation Letter 6.3.20.pdf;

---

**From:** Hilton, Keenan  
**Sent:** Wednesday, June 03, 2020 12:10 PM  
**To:** anubishea@gmail.com  
**Subject:** 216-392-021 11955

Greetings,

The attached letter has also been sent in the mail. Please feel free to contact me with any questions or concerns.

Best,  
Keenan



[humboldt.gov]

Keenan Hilton  
Planner II, Cannabis Services Division  
[Planning and Building Department](#)  
707.268.3722

**ATTACHMENT 4**  
**EMAIL CORRESPONDENCE 2021**

### Re: Application 11955- Violation Follow Up

Strickland, Abigail <[astrickland@co.humboldt.ca.us](mailto:astrickland@co.humboldt.ca.us)>

Tue 10/26/2021 10:59 AM

To: Shea Butter <[anubishea@gmail.com](mailto:anubishea@gmail.com)>

Good morning Saad,

Your project has been scheduled for the November 4th Planning Commission hearing. Our Department is prepared to deny your project due to an unresolved violation, incomplete application, and a lack of response from the applicant.

Please contact me so we may discuss the options available to you,



**Abbie Strickland**  
Planner - Cannabis Services Division  
[Planning and Building Department](#)  
(707) 445-7541  
3015 H Street | Eureka, CA 95501  
Email: [astrickland@co.humboldt.ca.us](mailto:astrickland@co.humboldt.ca.us)

---

**From:** Strickland, Abigail <[astrickland@co.humboldt.ca.us](mailto:astrickland@co.humboldt.ca.us)>  
**Sent:** Thursday, October 21, 2021 8:14 AM  
**To:** Shea Butter <[anubishea@gmail.com](mailto:anubishea@gmail.com)>  
**Subject:** Re: Application 11955- Violation Follow Up

Hello Saad,

Please call my office at your earliest convenience. There is a violation on your project that needs to be resolved, otherwise we will be denying your application.

Abbie Strickland  
(707)441-2630

---

**From:** Shea Butter <[anubishea@gmail.com](mailto:anubishea@gmail.com)>  
**Sent:** Wednesday, October 20, 2021 11:49 PM  
**To:** Strickland, Abigail <[astrickland@co.humboldt.ca.us](mailto:astrickland@co.humboldt.ca.us)>  
**Subject:** Re: Application 11955- Violation Follow Up

Hello Abie,

I've been trying to get a hold of someone at the county now for a while, trying to figure out what my next step would be to keep moving forward. Please let me know.

Thank you  
Saad

On Tuesday, October 12, 2021, Strickland, Abigail <[astrickland@co.humboldt.ca.us](mailto:astrickland@co.humboldt.ca.us)> wrote:  
Hello Saad:

My name is Abbie Strickland and I am the assigned planner for your application. The processing of your application cannot commence until the existing violation is resolved. Please read the attached letter and

respond accordingly within 10 days. I have also mailed a copy of this letter to the address we have on file for you.

Thank you,



**Abbie Strickland**

Planner - Cannabis Services Division

[Planning and Building Department](#)

(707) 445-7541

[3015 H Street .|. Eureka, CA 95501](#)

Email: [astrickland@co.humboldt.ca.us](mailto:astrickland@co.humboldt.ca.us)

**ATTACHMENT 5**  
**OPERATIONS PLAN**



## Cultivation and Operations Plan

Sacred Flower Farms LLC  
3955 Rancho Sequoia Drive  
Alderpoint, CA 95511  
APN 216-392-021



Prepared for:  
Humboldt County Planning Department,  
Cannabis Services Division  
3015 H Street, Eureka, CA 95501

Prepared by:  
Meghan Ryan, Environmental Planner  
P.O. Box 4836  
Arcata, CA 95518

## 1.0 PROJECT DESCRIPTION

### 1.1 Project Location

The project is located on Assessor Parcel Number (APN) 216-392-021, also known as 3955 Rancho Sequoia Road, near the community of Alderpoint. The subject parcel is approximately 10.00 acres in size per the Humboldt County WebGIS. The parcel has a plan designation of Agriculture Rural with a minimum parcel size of twenty acres (AR-20-5) per the Humboldt County General Plan (FWRK)<sup>1</sup>. The parcel is zoned Forestry Recreation with a Special Building Site Combining Zone specifying a minimum parcel size of ten acres (FR-B-5(10))<sup>2</sup>. The parcel is currently developed with a cabin, agricultural accessory structures and is served by private water and sewer.

### 1.2 Project Proposal

Sacred Flower Farms, LLC (Applicant), is proposing to permit an existing mixed light cultivation area of 7,440 sf and an existing outdoor cultivation area of 2,560 sf with a Special Permit (SP).

### 1.3 Overview of State and Local Regulations Regarding Medical Cannabis Cultivation

In November 1996, the voters of the State of California approved Proposition 215, also known as The Compassionate Use Act of 1996 (CA Code §1136.5). Proposition 215 decriminalized the cultivation and use of marijuana by seriously ill individuals upon a physician's recommendation. California Code Section 11362.5(d) specially states that Section 11357, relating to the possession of marijuana, and Section 11358, relating to the cultivation of marijuana, shall not apply to a patient, or to a patient's primary caregiver, who possesses or cultivates marijuana for the personal medical purposes of the patient upon the written or oral recommendation or approval of physician. Effective January 1, 2004, Senate Bill (SB) 420, the Medical Marijuana Program Act (MMP), set forth the guidelines for Proposition 215 and established a voluntary patient identification card system.

The guidelines recognized the rights of patients and caregivers to associate collectively or cooperatively to grow medical marijuana. SB 420 also gives local governments autonomy when establishing increase guidelines for the amount a patient can grow and possess. Conversely, it ensures 'no tolerance' counties must adhere to the minimum guidelines. In February 2007, the California State Board of Equalization (BOE) issued a Special Notice confirming its policy of taxing marijuana transactions, as well as its requirement that businesses engaging in such activities hold a Seller's Permit. Prior to 2005, BOE did not issue seller's permits to sellers of property that may be considered illegal. By 2006, BOE directed staff to begin issuing the seller's permits for people selling tangible personal property that is subject to sales tax regardless of the fact the property being sold may be illegal.

---

<sup>1</sup> Humboldt County General Plan. Page 96.

<sup>2</sup> Humboldt County Code Zoning Regulations, Title III, Division 1, §314-7.3 (2000).

As required by additional legislation in 2003, the Attorney General adopted Guidelines for the Security and Non-Diversion of Marijuana Grown for Medical Use (Guidelines) in August 2008. The purpose of the Guidelines is the following:

- (1) Ensure that marijuana grown for medical purposes remains secure and does not find its way to non-patients or illicit markets;
- (2) Help law enforcement agencies perform their duties effectively and in accordance with California Law; and
- (3) Help patients and primary caregivers understand how they may cultivate, transport, possess, and use medical marijuana under California Law.

The Guidelines set forth definitions for cooperatives, collectives and the lawful operation of these facilities. The Guidelines require that cooperatives and collectives obtain a seller's permit from BOE to track sales, whether a profit was gained or not. The Guidelines suggest detailed membership application be required of new patients and caregiver to help ensure that marijuana grown for medical use is not diverted to illicit markets. The Guidelines describe permissible reimbursements and allocations, allowing cooperatives to recover the costs associated with cultivation of the medical marijuana. Finally, the Guidelines recommend that collectives provide adequate security to ensure that patients are safe and the surrounding homes or businesses are not negatively impacted by nuisance activity such as loitering or crime.

In December 2015, the California legislature adopted comprehensive legislation known as the Medical Marijuana Regulation and Safety Act (MMRSA). The MMRSA established a statewide regulatory scheme, headed by a new Bureau of Medical Marijuana Regulation (BMMR) with the Department of Consumer Affairs. The MMRSA requires both State and local licenses, inventory tracking, testing, labeling of products, as well as specific penalties for non-compliance. The State's implementation of MMRSA license requirements is not anticipated to be fully implemented until 2018. The passage of SB 837 revised the name of MMRSA to the Medical Cannabis Regulation and Safety Act (MCRSA).

Due to the passage of MCRSA in December 2015, the Humboldt County Planning Department began a series of meetings with the stakeholders, community members, Planning Commission and the Board of Supervisors to develop a comprehensive set of regulations to oversee the permitting of commercial medical cannabis cultivation and associated activities (processing and manufacturing). In 2016, the Humboldt County Planning Department encourage those engaged in the commercial cannabis industry to submit a registration form prior to August 23, 2016, to work toward determining what existing commercial cannabis businesses may receive priority processing for State licenses, once available in 2018.

#### **1.4 Land Use, Zoning and Surrounding Uses**

The Project site has a land use designation of AR20-5 as identified by the FWRK. The site is zoned FR-B-5(10). According to the County of Humboldt Zoning Regulations, Section 314-7.3, principally permitted

uses in the FR zoning district include general agriculture, nurseries and greenhouses, and roadside stands. The Additionally, the FR District allows for one-family dwellings and farm dwellings.<sup>3</sup> Medical cannabis cultivation facilities are allowable land uses in this zone per CMMLUO Section 55.4.8.2.2, which states, "...Special Permit may be issued for outdoor or mixed-light commercial cannabis cultivation for some or all of the cultivation area in existence prior to January 1, 2016, in zoning districts AE (no parcel size limitation), RA (on parcels of five acres or larger), and AG, FP, DF, FR, U, and TPZ districts (on parcels of one acre or larger) only when possible to bring them into compliance with all applicable standards set forth in this section and to eliminate existing violations as specified in this ordinance. No expansion of the existing cultivation area shall be permitted.<sup>4</sup>

### **1.5 Project Construction Schedule**

Cultivation facilities on the subject parcel are existing. Upon project approval, cultivation facilities will be upgraded as required by the Humboldt County Building Department and the California Building Code.

---

<sup>3</sup> *Humboldt County Code Zoning Regulations*, Title III, Division 1, §314-7.3 (2000).

<sup>4</sup> Humboldt County Commercial Medical Marijuana Land Use Ordinance No. 2559: Page 24.

## 2 CULTIVATION AND OPERATIONS PLAN

### 2.1 Water Source and Usage

Water is supplied to the subject parcel by an existing well. The well supplies the cultivation operation as well as domestic uses at the cabin. There are two 2,500-gallon water storage tanks and one 250 gallon mixing tank. Water used in the cultivation operation is applied at an appropriate agronomic rate. There is a drip system in place for irrigation.

The following table shows approximate water usage in gallons by month:

Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec	TOTAL
0	0	12,000	12,000	15,000	15,000	30,000	30,000	30,000	18,000	12,000	0	174,000

### 2.2 Site Drainage

The Applicant will follow the NCRWQCB's Best Management Practices (BMPs) regarding site drainage and erosion control as described by Order No. R1-2015-0023. The cultivation area is near the southern edge of the parcel and is relatively flat. The remainder of the parcel is forested and has slopes greater than 15%. Because of the soil type at the cultivation area, the soil is able to absorb and infiltrate the high volume of rain received annual in the area.

### 2.3 Watershed and Wildlife Habitat Protection

The Applicant is committed to ensuring the project is designed for protection of watershed and wildlife habitat. Primarily, the Applicant utilizes water from an existing onsite well and does not divert surface water for irrigation of the cultivation area. Water used in the cultivation operation is applied at an appropriate agronomic rate. There is a drip system in place for irrigation. The Applicant will ensure that all nutrients and pesticides used for cultivation will be stored and applied appropriately to discourage contamination of groundwater and ingestion by wildlife species (see Section 2.4 *Storage of Regulated Products* below for additional information). The Applicant will comply with lighting standards to not disrupt patterns of nocturnal wildlife.

### 2.4 Storage of Regulated Products

The growing system in place at the cultivation facility requires use of special nutrients during vegetative state, flowering, and throughout the life cycle of the plant. There is a 8' x 12' storage shed used to store all fertilizers, pesticides, and other regulated products. All products are carefully contained to avoid injury to employees and wildlife, and to prevent contamination of the ground.

Chemicals and tools are all potential health hazards, and must be used and stored with caution. The storage area will be secure, with correctly working hinges and door locks. The federal government has a number of guidelines for storage of particular chemicals, but rather than list how each must be segregated,

we work toward a cultivation facility design that will allow for customization as different materials are brought in. The following list described proposed methods for storage of regulated products:

- **Containment-** The room where the storage of chemicals and tools is located must have secondary storage such as cabinets fire rated for flammable mixtures, and also fume containment for chemicals that may give off harmful gases. Each containment unit should have industry standard markings such as highly flammable, explosive, etc.
- **Rack/Shelf Markings-** chemicals and tools should be organized according to specific uses. There should be a master list of where nutrients go, cleaning solutions, PVC rinse solutions, and a inventory system so that materials with the closest shelf life and expiration dates are used first
- **Incompatible chemicals and other items-** Acids and bases should be stored separately, and other objects such as flammable liquids should never be kept with rags to apply the solutions. Common sense can avoid a tremendous amount of potential danger, as well as fines from government inspectors.
- **Binders and inventory sheets-** Every storage room should have a binder containing the items stored there, their location, and vendor contact.
- **Protective equipment-** There should be spaced throughout the facility lockers for protective equipment such eye wear, gloves, helmets if necessary, spill kits, first aid kits etc.
- **Gas cylinders-** certain cultivation facilities buy CO2 as a bottled gas, so there are specific procedures for handling them safely. Are the cylinders properly secured in their storage housing? Are the bottles labeled full or empty for ease of selection? Is each cylinder labeled as to its contents? Are all cylinders equipped with safety caps?
- **Hazmat training-** Employees are taught how to handle particular chemicals and tools. They have recurrent training yearly.
- **Nutrient storage-** As most nutrients for large scale cultivation facilities are generally bought in large drums, separate tarps, plastic sheeting, or catch pans should be placed under them.
- **Ventilation-** Due to the possible fumes chemicals used in the cultivation facility, there will be proper ventilation with multiple air exchanges when temperatures exceed a specific amount.
- **Tools-** Tools should be in good condition, rust free, with proper handles, and stored accordingly.
- **Safety equipment-** Anyone using tools should be taught to use them correctly, and what sort of protective equipment to wear when handling them.
- **Power tools-** All power tools with rotating or moving parts should have safety guards.
- **Power tools-** All electricity powered tools should have their cabling and grounding checked weekly.
- **Portable fans-** All portable fans should have screens with openings sufficiently small to prevent injury to fingers or other appendages.

The following list described proposed methods for nutrient use and storage:

- Nutrients are introduced at very regulated times into the grow media. Before adding any nutrients to the system, cultivation facility employees must test nutrient levels and compare them to the charts available.
- All nutrients put into the system must be measured to insure ratio compliance.
- Nutrient tanks must be checked daily for leaks, and at the end of every shift the amount of mixed solution in the tank showing the remaining capacity must be entered into the clipboard attached to the tank, and also into the database tracking system.
- Nutrient content should be easily legible on the tank it is being drawn from. In the event it is not, do not use it and contact the facility manager.
- When mixing nutrients, latex or rubber gloves and protective aprons must be worn.
- When nutrients come in to the facility, they must be stored away from any sort of solvent, fuel or oil, and any pesticides/fungicides if present.

Additionally, the Applicant will follow the NCRWQCB's Best Management Practices (BMPs) regarding the storage of regulated products as described by Order No. R1-2015-0023. The following BMPs will be utilized on-site and included in the WRPP:

- Evaluate irrigation water, soils, growth media, and plant tissue to optimize plant growth and avoid over-fertilization.
- All chemicals will be stored in containers within an above-ground storage shed.
- Products will be labeled properly and applied according to the label.
- Integrated pest management strategies will be implemented that applies pesticides only to the area of need and at times when runoff losses are least likely, including losses of organic matter from dead plant material.
- The Applicant will use anti-backflow devices on water supply hoses, and other mixing/loading practices designed to reduce the risk of runoff and spills.
- Petroleum products shall be stored with a secondary containment system.
- Materials shall be stored in their original containers and the original product labels shall be maintained in place in a legible condition. Damaged or otherwise illegible labels will be replaced immediately.
- Bagged and boxed materials shall be stored on pallets and will not be allowed to accumulate on the ground. To provide protection from wind and rain throughout the rainy season, bagged and boxed materials will be covered during nonworking days and prior to rain events.
- The Applicant will have proper storage instructions posted at all times in an open and conspicuous location.
- The Applicant will keep ample supply of appropriate spill clean-up material near storage areas.

## 2.5 Cultivation Activities

The proposed project includes 7,440 sf of existing mixed light cultivation and 2,690 sf of existing outdoor cultivation. The cultivation site is currently developed with the following:

- 2 - 20' x 80' foot (3,200 sf) mixed light greenhouses
- 2 - 20' x 100' foot (4,000 sf) mixed light greenhouses
- 1 - 12' x 20' foot (240 sf) mixed light greenhouse

The Applicant is proposing to continue mixed light and outdoor cultivation at the project site. Cultivation will occur in greenhouses and utilize both mixed light and light deprivation cultivation methods. Light deprivation 'tricks' the medical cannabis plants into thinking the season is changing earlier than it is by pulling tarps over the greenhouses to deprive the plants of light when the cultivator wants the plants to flower (High Times, 2016). Utilizing the light deprivation cultivation method maximizes the cultivation season, typically allowing for two (2) or more harvests annually.

Greenhouses will be shield greenhouses so that little to no light escapes. Light will not escape at a level that is visible from neighboring properties between sunset and sunrise as required by CMMLUO §314-55-4.11(v). The Applicant will accomplish this by utilizing natural light and covering greenhouses with black tarps when utilizing an artificial lighting source to keep light from escaping (Kemp, 2016).

Additionally, the light source will 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). The Applicant will accomplish this by shielding and utilizing downward facing lights for safety, security and convenience purposes. The Applicant will turn off the cultivation lights when they are not in use and any lights used for safety, security or convenience purposes will be motion-sensing lighting, therefore, the lights will only be used as needed. The Applicant is willing to repair, inspect and correct, as necessary, any issues that may arise from the lighting, should the HCPD receive any complaints.

The cultivation activities are as follows:

- The cultivation facility is responsible for growing and drying.
- The process begins with germinated seed and/or cloned plants, moves to the vegetative stage, flowering, harvesting, and curing at this facility.
- Physical inventory is done throughout every stage of cultivation. Inventory is done for seeds, clones, plants, harvested material, and dry material. Scales are used to track weights to be entered into our database.
- All cultivation will be done naturally and organically using best management practices.
- Soil will be reused, amended and mixed yearly.
- Attention is paid to soil health and reducing fertilizer use. Strategies such as companion planting, cover crops, and predator insects will be used to reduce pesticide use.



- Multiple strains of cannabis are grown and all plants are labeled. If a label is seen damaged or missing it will be promptly replaced.
- Beginning with germinating seeds all the way through drying all movement in the facility will be recorded by the security system cameras.
- All harvested material will be kept locked throughout the harvesting process. First it will be taken to the drying shed. Next it will be cut into smaller pieces, packed into storage totes, and moved into the product storage room. Last, it will be taken from the locked storage room to be transported to the processing facility.

## **2.6 Schedule of Cultivation Activities**

As mentioned above, the Applicant will cultivate medical cannabis three (3) times per year by utilizing the light deprivation cultivation method. The following schedule outlines the approximate timing associated with the activities described above:

- The first cultivation cycle will begin March 1<sup>st</sup> and end May 31<sup>st</sup>.
- The second cultivation cycle will begin June 1<sup>st</sup> and end August 31<sup>st</sup>.
- The third cultivation cycle will begin September 1<sup>st</sup> and end December 1<sup>st</sup>.

## **2.7 Security Plan**

The cultivation facility has specific protocols that all employees must learn and adhere to in order to ensure the security and safety of all workers and the physical plant itself. The Applicant will refresh our employees on security issues frequently, and hold mandatory trainings to inform employees any new developments or issues that concern the safe and secure operation of the facility. The following is a list of specific examples of information of safety and security measures:

- All usable cannabis must be stored in the locked storage with external audit reports on a clipboard near the locked storage.
- The entire facility is monitored with closed circuit video cameras and game cameras. Employees are recorded at all times in any part of the facility where it is legal to do so.
- All buildings that will contain harvested cannabis will be locked and will have security systems and alarms.
- There will be a fence around the perimeter of the entire cultivation area. At each access point there will be locking gate. Only authorized staff of the facility will have the key to the gate.
- All employees must sign an agreement prior to starting work agreeing to a search in the event medical marijuana is missing or unaccounted for.

### 3 PROCESSING PLAN

#### 3.1 Processing Practices

The Applicant will comply with the processing practices described by the CMMLUO. The proposed project includes use of an off-site processing facility where medical cannabis grown on-site will be transported to be dried, cured, graded, trimmed, and/or packaged under the control of the Applicant only. Processing operations will implement protocols which prevent processing contamination and mold and mildew growth on cannabis. The processing facility will be equipped with odor control and mechanical systems to minimize mold and mildew growth on cannabis. Processing methods will utilize non-chemical cleaners for equipment to avoid contamination. Employees handling cannabis in processing operations will have access to handwashing, facemasks and gloves in good operable condition, as applicable to their job function. Gloves will be made available in the processing facility for employees both working in the greenhouses and the processing facility. Employees will be required to wash their hands sufficiently when handling cannabis or wear gloves. Water and soap for handwashing will be available in the employee bathroom in the processing facility. Gloves and face mask will be thrown away and new ones put on after taking a break, going to lunch, or using the restroom.

More specifically, the hours of operation at the processing facility are from 9:00am to 5:00pm. Employees will be required to take two 10-minute breaks and a 30-minute lunch during their work day. Employees will be provided with a wheelchair accessible rest room and employee break room with lockers. All handling of product will be done on stainless steel tables to ensure cleanliness. Scissors will be placed into a jar of 99% alcohol frequently throughout the day for sterilization. All product with any trace of mold is thrown away immediately into a trash receptacle with a lid to ensure it does not contaminate clean product and also so it does not get processed for use by patients.

Employees will be given one tote at a time. The manager will use the Tote Inventory Log to keep track of the totes in storage and the totes being manicured. The employees will manicure the product and return the tote to the manager with both finished product, and the waste product (shake). The manager will use the employee's Harvest Trim Log page in the Harvest Trim Log Binder to keep track of tote number, location/strain, finished product weight, waste (shake) weight, and the date. Both the employee and manager will initial the entry in the log. The finished product will be packaged for storage and moved to the locked storage room. When taken to the storage room, the manager will use the Finished Product Log to write the date, amount in storage, amount added to storage, and the new total amount of finished product in storage.

#### 3.2 Processing Location

Medical cannabis cultivated on-site will be processed in a processing facility located on APN 216-261-053 (17311 Alderpoint Road, Alderpoint, CA 95511). All cannabis processed at this location will be under the control of the Applicant.

### **3.3 Estimated Number of Employees**

The maximum number of employees for cultivation activities is two. There will be additional employees during peak processing times at the Alderpoint Road location. From January 1 – March 1, when no cultivation is occurring, no employees will be on-site.

### **3.4 Employee Safety Practices**

Employee safety is a top priority for the Applicant. Prior to starting work at the processing facility, employees of Sacred Flower Farms, LLC, will receive a comprehensive employee training that includes information regarding employee safety practices as described above. The Applicant will visibly post and maintain an emergency contact list that is easily accessible to employees (see Attachment B – *Emergency Contact List*). Employees will be encouraged to contact the Operations Managers initially to determine the scope of the issue and the appropriate emergency responder to contact. Employees will be instructed to dial 9-1-1 if the emergency appears to be life threatening. The Emergency Contact List will be kept in three (3) locations in the processing facility – office, trimming room and employee breakroom.

### **3.5 Toilet and Handwashing Facilities**

Toilet and handwashing facilities are available at the cultivation site in the existing cabin. Toilet and handwashing facilities will also be located the proposed processing facility. Facilities at both locations will be made available at all times during the employees shift. The facilities will be cleaned and maintenance regularly to ensure the health and safety of employees.

### **3.6 Plumbing and Septic System**

Currently, the parcel is developed with an existing septic system for the existing cabin at the cultivation site. The processing location has temporary portable bathrooms and a handwashing unit. Upon entitlement, the plans for the proposed processing facility will include plumbing that meets or exceeds the standards of the current California Building Code. Additionally, the proposed processing facility will include a new septic system that is capable of adequately serving six (6) employees, which is the most number of employees that will be on site at one time.

### **3.7 Source of Drinking Water**

Drinking water will be provided by the Applicant, who will purchase bottled drinking water. The drinking water will be purchased to reduce the water demand from the well. The drinking water will be made available to employees throughout their shifts.

### **3.8 Minimizing Road Impacts**

Access to the site is via Rancho Sequoia Road. Rancho Sequoia Road is an unpaved, privately maintained road. Due to the low number of employees needed to operate throughout the cultivation season, it is anticipated that the project will not significantly increase traffic on Rancho Sequoia Road. During the time

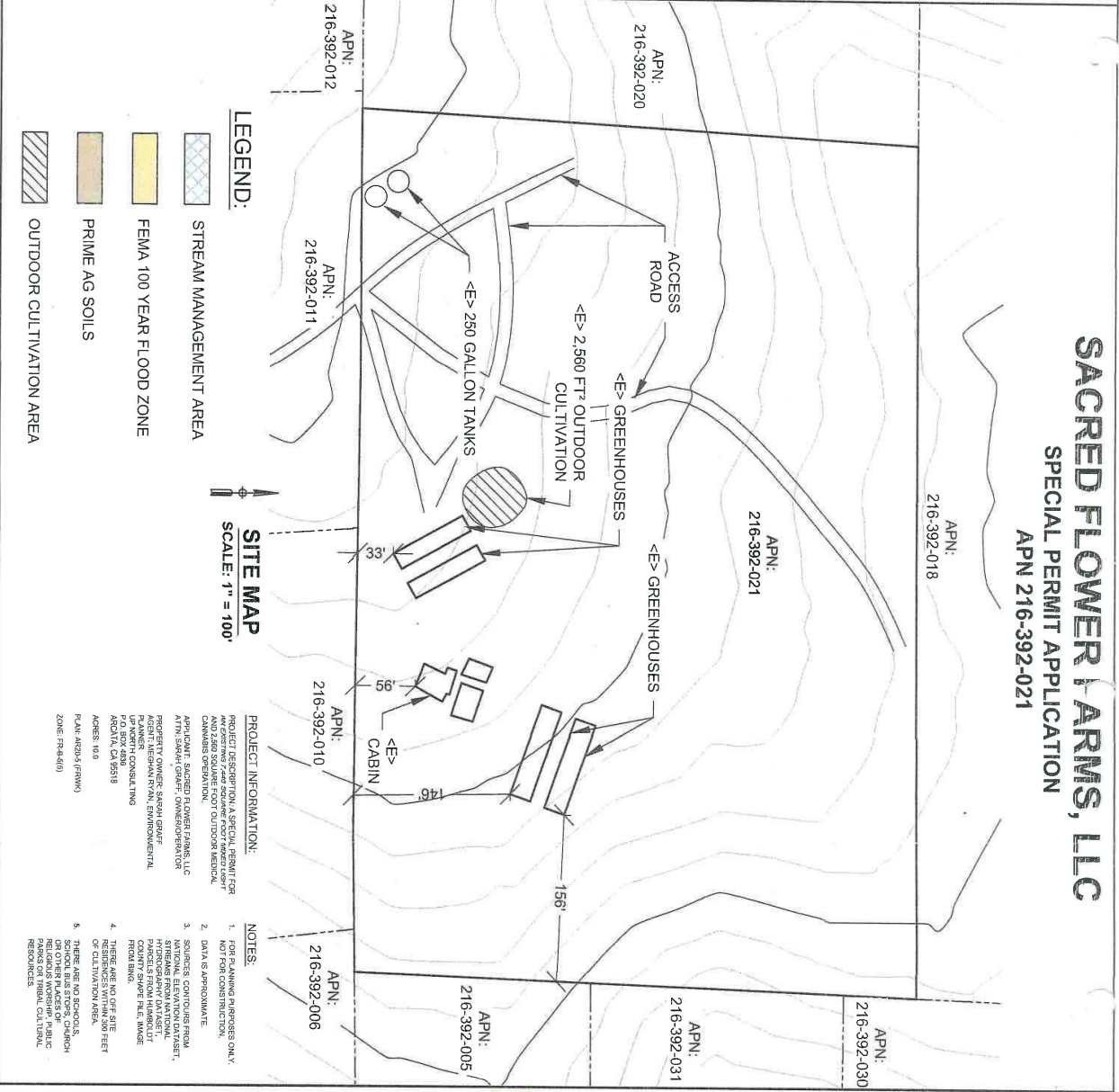
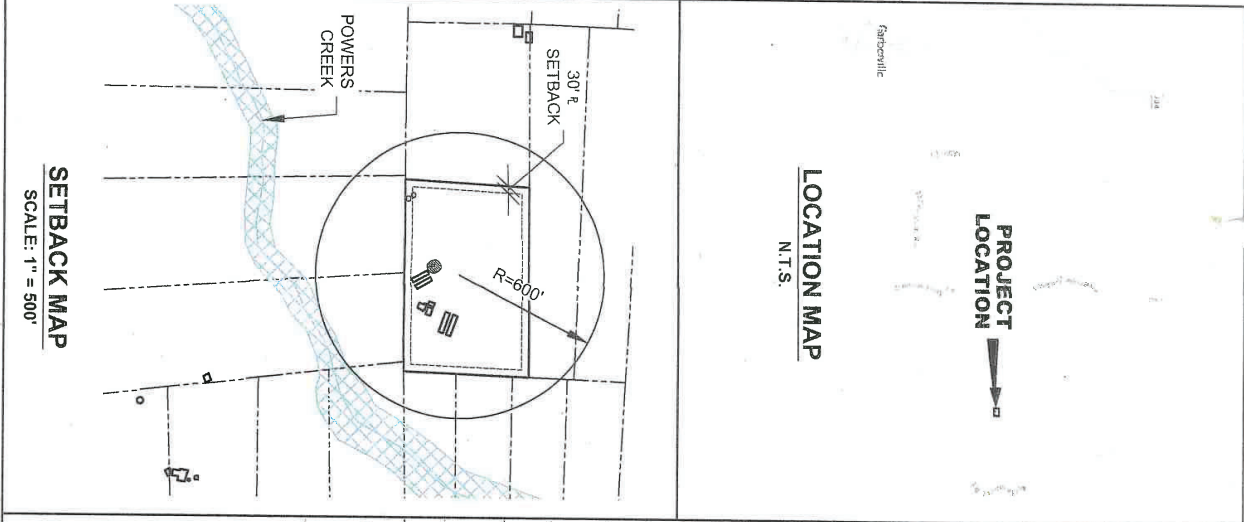
of year when the medical cannabis is harvested, the most employees traveling to the site will be six or less. The Applicant will encourage carpooling to reduce the number of cars using Rancho Sequoia Road.

### **3.9 On-site Housing**

The parcel is currently developed with an existing cabin that is used occasionally as a residence for the Applicant. No on-site housing will be provided for employees.

**ATTACHMENT 6**

**SITE PLAN**



**SACRED FLOWER FARMS, LLC**  
 SPECIAL PERMIT APPLICATION  
 APN 216-392-021

<p><b>SACRED FLOWER FARMS, LLC</b>                  SPECIAL PERMIT APPLICATION</p> <p>3955 RANCHO SEQUOIA DRIVE, ALDERPOINT, CA 95521                  APN: 216-392-021</p>		<p>NO. _____ HISTORY / REVISION BY CHK. DATE</p> <p>RECEIVED                  AUG 16 2017                  Humboldt County                  Calaveras S&amp;S</p>	<p><b>UP NORTH CONSULTING</b></p> <p>(707) 267-8191 mryan@upnorthco.com</p>
<p>DRAWN: _____                  CHECKED: _____                  DATE: 8.15.17                  JOB NUMBER: 5328217                  FIGURE: 1</p>	<p>JOB: _____                  NAME: _____                  DATE: 8.15.17                  JOB NUMBER: 5328217                  FIGURE: 1</p>		