

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

Resolution Number: 25-031

Record Number: PLN-11971-CUP

Assessor's Parcel Number: 033-120-009

Resolution by the Planning Commission of the County of Humboldt certifying compliance with the California Environmental Quality Act and conditionally approving the MMF Land V LLC Conditional Use Permit.

WHEREAS, MMF Land V LLC, provided an application and evidence in support of approving a Conditional Use Permit for an existing 33,699 square foot outdoor and 650 mixed light commercial cannabis cultivation operation for a total of 34,349 square feet and an and an additional 3,435 sf of ancillary propagation; and

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

WHEREAS, the Humboldt County Planning Commission held a duly-noticed public hearing on May 15, 2025 and reviewed, considered, and discussed the application for a Conditional Use Permit and reviewed and considered all evidence and testimony presented at the hearing.

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

1. FINDING:

Project Description: A Conditional Use Permit for an existing 33,699 square foot outdoor and 650 mixed light commercial cannabis cultivation operation for a total of 34,349 square feet and an additional 3,435 sf of ancillary propagation. Irrigation needs are estimated at 650,000 gallons per year (18.9 gallons per sf). The water source is two existing rainwater catchment ponds totaling 628,000 gallons. One of these ponds is on-stream and subject to forbearance. Current hard tank water storage totals 227,500 in a series of HDPE tanks with an additional proposal of fifteen 5,000- gallon tanks which equates to 75,000-gallons for a total of 302,500- gallons of storage. Anticipated annual water usage is 650,000 gallons. Processing has historically occurred onsite in an existing residence but is conditioned

to occur offsite. A maximum of eight employees is anticipated. Power is provided by solar panels and battery storage; additionally, applicant has applied for PG&E connectivity. A generator will be used as emergency backup.

EVIDENCE: a) Project File: PLN-11971-CUP

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

EVIDENCE:

- a) Addendum prepared for the proposed project.
- b) The proposed project does not present substantial changes that would require major revisions to the previous MND. No new information of substantial importance that was not known and could not be known at the time was presented as described by §15162(c) of CEQA Guidelines.
- c) The project is for pre-existing cultivation. The nearest spotted owl activity center is approximately 1.53 miles to the southwest and additional owl activity centers are further from the site. Use of the generator is subject to the standard condition limiting noise to 50dB at 100 feet from the generator or at the edge of the nearest forest habitat, whichever is closer (**Condition B7**). As proposed and conditioned, the project is consistent with CMMLUO performance standards and CDFW guidance and will not negatively affect the northern spotted owl or other sensitive species.
- d) A Road Evaluation Report concludes the route leading to the subject parcel is developed to the equivalent of a category 4 road standard, is in good condition, and does not have any evidence of a site-specific safety problem.

FINDINGS FOR CONDITIONAL USE PERMIT

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

EVIDENCE: a) General agriculture is a use type permitted in the Residential Agriculture (RA 20-160) land use designation. The proposed cannabis cultivation, an agricultural product, is within land planned and zoned for agricultural purposes, consistent with the use of Open Space land for managed production of resources. The use of an agricultural parcel for commercial agriculture is consistent with the Open Space Plan and Open Space Action Program. Therefore, the project is consistent with and complimentary to the Open Space Plan and its Open Space Action Program.

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

EVIDENCE: a) The Agriculture Exclusive (AE) zone is intended to be applied to areas of the County in which primary uses include the growing and harvesting of timber and timber production facilities, including portable processing equipment. Compatible uses other than the direct growing, harvesting, and portable processing of timber include grazing and other agricultural uses.

b) All general agricultural uses are principally permitted in the AE zone.

c) Humboldt County Code section 314-55.4.8.2.2 allows cultivation of up to 43,560 square feet of existing outdoor cannabis cultivation and up to 22,000 square feet of existing mixed-light commercial cannabis on a parcel over 1 acre subject to approval of a Conditional Use Permit and a determination that the cultivation was in existence prior to January 1, 2016. The application for 34,349 square feet of cultivation on a 24-acre parcel is consistent with this and with the cultivation area verification prepared conducted by staff.

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

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

EVIDENCE: a) The CMMLUO allows existing cannabis cultivation to be permitted in areas zoned Agriculture Exclusive (HCC 314-7.1).

b) The parcel was legally created as Parcel 2 of Parcel Map 1614, filed in Book 14 of Parcel Maps Pages 34-35

- c) The project proposes obtaining water from two rainwater catchment One of which is an on-stream pond. Not counting the on-stream pond, the applicant will have over 600,000 gallons of water storage at full buildout.
- d) A Road Evaluation Report found the access roads to be functionally appropriate for the existing traffic.
- e) The slope of the land where cannabis will be cultivated is on existing flats.
- f) The cultivation of cannabis will not result in the net conversion of timberland.
- g) The location of the cultivation complies with all setbacks required in Section 314-55.4.11.d. It is more than 30 feet from any property line and more than 600 feet from any school, church, public park, or Tribal Cultural Resource.

6. FINDING:

The continued cultivation of 34,349 square feet of existing cannabis cultivation and the conditions under which it may be operated or maintained will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity.

EVIDENCE:

- a) The site is located on road that has been found to safely accommodate the amount of traffic generated by the proposed cannabis cultivation.
- b) The site is in a rural part of the County where the typical parcel size is over 20 acres and many of the land holdings are very large. The proposed cannabis will not be in a location where there is an established neighborhood or other sensitive receptor such as a school, church, park, or other use which may be sensitive to cannabis cultivation. Approving cultivation on this site and the other sites which have been approved or are in the application process will not change the character of the area due to the large parcel sizes in the area.
- c) The project will obtain water from two rainwater catchment ponds, one of which is on-stream and requires forbearance. With the 300,000 gallon off-stream pond and the hard tank storage (existing

and proposed), water storage will be over 600,000 gallons available to be used in the forbearance period.

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

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

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

- EVIDENCE:** a) The project site is in the South Fork Eel Planning Watershed, which under Resolution 18-43 is limited to 730 permits and 251 acres of cultivation. With the approval of the project the total approved permits in this Planning Watershed would be 309 permits and the total approved acres would be approximately 94 acres of cultivation.

DECISION

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

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

Adopted after review and consideration of all the evidence on **May 15, 2025**.

The motion was made by COMMISSIONER THOMAS MULDER and second by COMMISSIONER NOAH LEVY and the following vote:

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

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS: Jerome Qirazi

ABSTAIN: COMMISSIONERS:

DECISION: Motion carried 6/0

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



John H. Ford, Director
Planning and Building Department

Conditions of Approval

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

A. Conditions which must be satisfied before the provisional cannabis cultivation permit can be finalized and no longer considered provisional (unless otherwise indicated).

1. Within 60 days of the effective date of permit approval, the applicant shall execute a Compliance Agreement with the Humboldt County Planning and Building Department detailing all necessary permits and infrastructure improvements described under Conditions of Approval **A6 through A14**. The agreement shall provide a timeline for completing all outstanding items. All activities detailed under the agreement must be completed to the satisfaction of the Planning and Building Department before the permit may be finalized and no longer considered provisional.
2. Within 90 days of project approval, the permittee shall execute and file with the Planning Division the statement titled, "Notice and Acknowledgment regarding Agricultural Activities in Humboldt County," ("Right to Farm" ordinance) as required by the HCC and available at the Planning Division.
3. Prior to cultivation, applicant shall install and utilize a water meter to track monthly water usage. The permittee shall also keep monthly waterlogs. The water use for cultivation is limited to the use of rain catchment and amount of water available in storage tanks. Water use data shall be made available to the county upon request.
4. Prior to cultivating, the permittee shall provide a will service letter from the Ruth Lake Community Services District or cause to be recorded an "ACKNOWLEDGMENT OF NO AVAILABLE EMERGENCY RESPONSE AND FIRE SUPPRESSION SERVICES" for the parcel(s) on a form provided by the Humboldt County Planning Division. Document review fees as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors will be required.
5. Prior to cultivation, that all compost fully contained at a designated composting location on the parcel. Specifically, uncontained compost (at coordinates 40.05356, -123.760673 and at 40.052432, -123.760575).
6. The applicant shall secure permits for all structures and grading related to the cannabis cultivation and other commercial cannabis activity, including but not limited to, existing and proposed greenhouses, water tanks over 5,000 gallons, existing or proposed structures associated with drying and storage or any activity with a nexus to

cannabis, generators, any noise containment structures, and graded flats, as necessary. The plans submitted for building permit approval shall be consistent with the project description and the approved project site plan. A letter or similar communication from the Building Division verifying that all structures related to the cannabis cultivation are permitted will satisfy this condition.

7. Applicant shall ensure that generators are stored within a secondary containment that meet the necessary requirements by the Building Division.
8. Applicant shall submit and implement a stormwater plan (site management plan) to ensure runoff is routed away from the stream channel and into settling basins or bioswales, where runoff can be incorporated into groundwater, and away from streams. Specifically, focusing on the sediment discharge to waters of the State through erosion of a hydrologically connected road (at coordinates 40.05335, -123.760208).
9. Applicant shall submit and implement an erosion control plan (site management plan) to deconcentrate surface flow off roads and away from streams. Specifically, focusing on the sediment discharge to waters of the State through erosion of a hydrologically connected road (at coordinates 40.052893, -123.760535).
10. Applicant shall remove all debris from the stream channel and cures all violations on site prior to cultivating cannabis in the 2025 season. Specifically, debris related to cannabis cultivation located in a stream channel (at coordinates 40.051763, -123.760322).
11. Within two years of permit approval, all cultivation and cultivation related infrastructure are to be removed from all SMAs on the parcel. Specifically, it was observed cannabis cultivation and cultivation related infrastructure located within the Streamside Management Area (SMA) of an onstream pond (at coordinates 40.052274, -123.760891), water storage used for cannabis cultivation within the SMA of a Class III stream (at coordinates 40.051916, -123.760110), and a cultivation site located within the SMA of a Class III stream (at coordinates 40.053508, -123.760208).
12. The applicant shall ensure that all compost is fully contained at a designated composting location on the parcel. Specifically, uncontained compost (at coordinates 40.05356, -123.760673 and at 40.052432, -123.760575).
13. The applicant shall provide and implement an Invasive Aquatic Species Management Plan. The invasive Species Management Plan shall include, at a minimum, an annual survey for invasive species including the American Bullfrog. If invasive aquatic species

are identified, a qualified biologist shall coordinate with CDFW to develop necessary eradication measures.

14. Applicant shall relocate processing off-site until an ADA compliant and permitted structure has been added.

B. General and Ongoing Requirements Which Must be Satisfied for the Life of the Project:

1. If cultural resources are encountered during construction activities, the contractor on-site shall cease all work in the immediate area and within a 50-foot buffer of the discovery location. A qualified archaeologist and the appropriate Tribal Historic Preservation Officer(s) are to be contacted to evaluate the discovery and, in consultation with the applicant and the lead agency, develop a treatment plan in any instance where significant impacts cannot be avoided.

Prehistoric materials may include obsidian or chert flakes, tools, locally darkened midden soils, 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. Effective January 1, 2026, generator use is limited to emergency backup purposes only.
3. 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.
4. The applicant is required to pay for permit processing on a time and material basis as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors. The Planning and Building Department will provide a bill to the applicant after the decision. All outstanding planning fees to cover the processing of the application to decision by the Hearing Officer shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka.
5. The Applicant is responsible for costs for post-approval review for determining project conformance with conditions. A deposit is collected to cover this staff review. Permit conformance with conditions must be demonstrated prior to release of building permit or initiation of use and at time of annual inspection. A conformance review

deposit as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors (currently \$750) shall be paid within sixty (60) days of the effective date of the permit 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.

6. 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.
7. The combination of background, generator and greenhouse fan or other operational equipment created noise must not result in the harassment of Northern Spotted Owl species as required to meet the performance standards for noise set by Department Policy Statement No. 16-005 clarifying CMMLUO Section 55.4.11 (o) requirements. The combined noise levels measured at 100 feet or the edge of habitat, whichever is closer, shall be at or below 50 decibels. Conformance will be evaluated using current auditory disturbance guidance prepared by the United State Fish and Wildlife Service, and further consultation where necessary. A building permit shall be obtained should any structures be necessary for noise attenuation.
8. 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.
9. Should the Humboldt County Planning Division receive complaints that the lighting or noise is not complying with applicable 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, and noise levels have been repaired, inspected, and corrected as necessary.
10. All refuse shall be contained in wildlife proof containers, always, and relocated to an authorized waste management facility, in compliance with State and local laws, on a regular and on-going basis. Prior to cultivating the applicant shall provide documentation that all uncontained refuse has been disposed of at an authorized waste management facility.

11. The applicant shall be compliant with the County of Humboldt's Certified Unified Program Agency (CUPA) requirements regarding hazardous materials. A written verification of compliance shall be required before any provisional permits may be finalized. Ongoing proof of compliance with this condition shall be required at each annual inspection to keep the permit valid.
12. Ensure all generators, used as emergency backup, be located on stable surfaces with a minimum 200-foot buffer from all waterways measured horizontally from the outer edge of the riparian drip zone.
13. The applicant is required to adhere to and implement the requirements contained in the SWRCB's Cannabis Cultivation Policy, the General Order, the Site Management Plan and the Notice of Applicability. A copy of the reporting form portion of the Mitigation and Reporting Program (MRP) shall be provided to the Planning and Building Department on request.
14. Prohibition on use of synthetic netting. To minimize the risk of wildlife entrapment, Permittee shall not use any erosion control and/or cultivation 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.
15. All refuse shall be contained in wildlife proof storage containers, at all times, and disposed of at an authorized waste management facility.
16. Should any wildlife be encountered during work activities, the wildlife shall not be disturbed and be allowed to leave the work site unharmed.
17. The use of anticoagulant rodenticide is prohibited.
18. 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.
19. All components of project shall be developed, operated, and maintained in conformance with the Project Description, the approved Site Plan, the Plan of Operations, and these conditions of approval. Changes shall require modification of

this permit except where consistent with Humboldt County Code Section 312-11.1, Minor Deviations to Approved Plot Plan.

20. Cannabis cultivation and other commercial cannabis activity shall be conducted in compliance with all laws and regulations as set forth in the CMMLUO and MAUCRSA, as applicable to the permit type.
21. If operating pursuant to a written approved compliance agreement, permittee shall abate or cure violations at the earliest feasible date, but in no event no more than two (2) years from the date of issuance of a provisional clearance or permit. Permittee shall provide plans for curing such violations to the Planning and Building Department within one (1) year of issuance of the provisional clearance or permit. If good faith effort toward compliance can be shown within the two years following the issuance of the provisional clearance or permit, the Department may, at the discretion of the Director, provide for extensions of the provisional permit to allow additional time to meet the outstanding requirements.
22. Possession of a current, valid required license, or licenses, issued by any agency of the State of California in accordance with the MAUCRSA, and regulations promulgated thereunder, as soon as such licenses become available.
23. 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.
24. Confinement of the area of cannabis cultivation, processing, manufacture, or distribution to the locations depicted on the approved site plan. The commercial cannabis activity shall be set back at least 30 feet from any property line, and 600 feet from any school, school bus stop, church or other place of religious worship, or tribal cultural resources, except where a reduction to this setback has been approved pursuant to Section 55.4.11(d).
25. Maintain enrollment in Tier 1, 2, or 3, certification with North Coast Regional Water Quality Control Board (RWQCB) Order No. R1-2015-0023, if applicable, or any substantially equivalent rule that may be subsequently adopted by the County of Humboldt or other responsible agency.
26. Comply with the terms of any applicable Lake and Stream Alteration (1600 or 1602) Permit obtained from the California Department of Fish and Wildlife (CDFW).

27. 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.
28. 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).
29. Refrain from the improper storage or use of any fuels, fertilizer, pesticide, fungicide, rodenticide, or herbicide.
30. Pay all applicable application, review for conformance with conditions and annual inspection fees.
31. 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.
32. The master logbooks maintained by the applicant to track production and sales shall be maintained for inspection by the County.
33. 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

34. Pursuant to the MAUCRSA, Health and Safety Code Section 19322(a)(9), 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."
35. 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).
36. 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.

37. All persons hiring employees to engage in commercial cannabis cultivation and processing shall comply with the following Employee Safety Practices:

- a. Cultivation operations and processing operations must implement safety protocols and provide all employees with adequate safety training relevant to their specific job functions, which may include:
 - (1) Emergency action response planning as necessary;
 - (2) Employee accident reporting and investigation policies;
 - (3) Fire prevention;
 - (4) Hazard communication policies, including maintenance of material safety data sheets (MSDS);
 - (5) Materials handling policies;
 - (6) Job hazard analyses; and
 - (7) Personal protective equipment policies, including respiratory protection.
- b. Cultivation operations and processing operations must visibly post and maintain an emergency contact list which includes at a minimum:
 - (1) Operation manager contacts;
 - (2) Emergency responder contacts; and
 - (3) Poison control contacts.
- c. At all times, employees shall have access to safe drinking water and toilets and handwashing facilities that comply with applicable federal, state, and local laws and regulations. Plumbing facilities and water source must be capable of handling increased usage without adverse consequences to neighboring properties or the environment.
- d. On site-housing provided to employees shall comply with all applicable federal, state, and local laws and regulations.

38. All cultivators shall comply with the approved processing plan as to the following:

- a. Processing practices

- b. Location where processing will occur
- c. Number of employees, if any
- d. Employee Safety Practices
- e. Toilet and handwashing facilities
- f. Plumbing and/or septic system and whether or not the system is capable of handling increased usage
- g. Drinking water for employees
- h. Plan to minimize impact from increased road use resulting from processing
- i. On-site housing, if any

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

40. If the inspector or other County official determines that the permittees or site do not comply with the conditions of approval, the inspector shall serve the permit holder with a written statement identifying the items not in compliance, and the action that the permit holder may take to cure the noncompliance, or file an appeal within ten (10) days of the date that the written statement is delivered to the permit holder. Personal delivery or mailing the written statement to the mailing address listed on the application by regular mail, plus three (3) days after date of mailing, shall constitute delivery. The permit holder may request a reinspection to determine whether or not the permit holder has cured all issues of noncompliance. Failure to request reinspection or to cure any items of noncompliance shall terminate the Special Permit, immediately upon the expiration of any appeal period, or final determination of the appeal if an appeal has been timely filed pursuant to Section 55.4.13.

41. 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.

42. 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.

43. Transfers. Transfer of any leases or permits approved by this project is subject to the review and approval of the Planning Director for conformance with CMMLUO eligibility requirements and agreement to permit terms and acknowledgments. The fee for required permit transfer review shall accompany the request. The request shall include the following information:
- a. Identifying information for the new owner(s) and management as required in an initial permit application;
 - b. A written acknowledgment by the new owner in accordance as required for the initial permit application;
 - c. The specific date on which the transfer is to occur;
 - d. Acknowledgement of full responsibility for complying with the existing permit; and
 - e. Execution of an Affidavit of Non-diversion of Medical Cannabis.
44. 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.
45. The applicant shall provide service receipts for the portable toilet and handwashing station and make documentation available at each annual inspection. Once a permitted Onsite Wastewater Treatment System (OWTS) is permitted and developed, this requirement will become moot. Applicant shall also provide these service receipts to Division of Environmental Health (DEH).

Informational Notes:

1. Pursuant to Section 314-55.4.11(a) of the CMMLUO, 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 314-55.4.13 of the CMMLUO.

2. The permittee shall be aware that the Federal Government considers the cultivation of Cannabis to be an illegal activity. This project is accessed by using roads that pass-through lands owned by the Federal Government. The Federal Government may not allow the permittee to use these roads to transport cannabis. In such case, Humboldt County will not provide relief to the permittee. Approval does not authorize transportation of cannabis across Federal lands.

Site Plan Overview and Cultivation and Operations Plan

Applicant/Owner

MMF Management V, LLC

1391 Red Rock Rd,

Garberville, CA 95542

Received by HCP&BD on 6.7.2024



Agent

Shawn Richter

Email: sr@richter-law.com

Phone: 480-688-0597

Fax: 480-214-9788

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I. Site Plan Overview

1.0 Project Information

MMF Management V, LLC. (“Applicant”) is submitting this application for a Use Permit for commercial cannabis cultivation on their 20- acre farm, located near Garberville, CA (“Parcel”), Assessor’s Parcel Number 033-120-009. This application is submitted through their agent, Shawn Richter, and has been prepared in accordance with Humboldt County’s (“County”) Commercial Medical Marijuana Land Use Ordinance (“CMMLUO”).

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

- a. Bring the Applicant's existing 33,699 square feet of outdoor and 650 square feet of mixed light commercial cannabis cultivation activities in existence prior to January 1, 2016 into compliance with the County CMMLUO.
- b. Comply with applicable standards for water quality maintenance and watershed protection through the Waiver of Waste Discharge requirements of the North Coast Regional Water Quality Control Board ("Water Board") and California Department of Fish and Wildlife ("Fish and Wildlife").

2.0 Project Location

The Applicant's Parcel is located in the inland zone of Humboldt County near Meyers Flat, CA. The Parcel is comprised of approximately 23.41-acres and is identified by Assessor's Parcel Number ("APN") 033-120-009. The street address for the Parcel is 1391 Red Rock Road Garberville, CA.

2.1 Zoning Classification

The County's Zoning Classification of the Parcel is Agriculture Exclusive (AE). The CMMLUO permits existing commercial cannabis cultivation on land zoned as Agriculture Exclusive with a Use Permit.

2.2 Site Topography

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

3.0 Easements

No easements required.

4.0 Natural Waterways

There are no natural waterways.

The water used for cannabis cultivation is gathered from 3 existing rainwater catchment ponds (1) 200,000 gallon rainwater catchment pond, (1) 75,000 gallon rainwater catchment pond, and (1) 65,000 gallon pond, and applicant wishes to drill 1 non hydrologically connected well to supplement water use, however, the primary water source will be rain catchment and storage of such water. A Small Domestic Use Registration has been submitted with the State Water Resources Control Board Division of Water Rights.

The Applicant estimates their yearly water usage for cannabis to be 650,000 gallons and can meet that water storage requirement for the forbearance period with 55 5,000-gallon water tanks with rain catchment capabilities which the Applicant fills from November through March. The Applicant also has three (1) 500-gallon tanks used for cannabis watering. The Applicant also has three (3) 2,500-gallon and two (1) 2,500-gallon hard storage water tanks designated for fire department use.

The Applicant has a Water Resource Protection Plan ("WRRP") for the Parcel and is enrolled in the Water Board's Waiver of Waste Discharge program as a Tier II discharger. A copy of the WRRP is included in the Other Permits, Licenses and Documents section of this application.

5.0 Location and Area of Existing Cultivation

The 33,699 square feet of outdoor cannabis cultivation and 650 mixed light cannabis cultivation located on the Parcel was existing prior to the January 1, 2016 deadline provided by the County. The existing 33,699 square feet of outdoor and 650 square feet mixed light cultivation to be located as provided on the Site Plan.

Cultivation Area

Cultivation Area is identified on the Site Plan.

6.0 Setbacks of Cultivation Area

Cultivation Area

Cultivation Area setbacks from the Parcel lines are in full compliance with county regulations.

7.0 Access Roads

The Parcel is located on Brown Road, which is maintained by the County.

8.0 Graded Flats

There are no graded flats that require permitting located on the Parcel.

9.0 Existing and Proposed Buildings

Residence

The residences located on the parcel are properly permitted by Humboldt County.

Shop

The applicant will be drying, curing and processing the cannabis in a proposed shop to be located on the parcel as provided on the Site Plan. The applicant will be drying, curing and processing the cannabis in the basement of the Residence 1 as identified located as provided on the Site Plan.

10.0 Water Storage, Use and Watershed Protection

10.1 Water Storage

The water used for cannabis cultivation is gathered from 3 existing rainwater catchment ponds (1) 200,000 gallon rainwater catchment pond, (1) 75,000 gallon rainwater catchment pond, and (1) 65,000 gallon pond, and applicant wishes to drill 1 non hydrologically connected well to supplement water use, however, the primary water source will be rain catchment and storage of such water. A Small Domestic Use Registration has been submitted with the State Water Resources Control Board Division of Water Rights. See Addendum.

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10.2 Water Use

The amount of water used for the cultivation of cannabis will vary throughout the year, with peak periods of water use occurring during the summer months. The Applicant's cultivation and water use is outlined in the Cultivation and Water Usage Chart, attached as Attachment "B."

All water used for the cultivation of cannabis is sourced on-site from 3 existing rainwater catchment ponds (1) 200,000 gallon rainwater catchment pond, (1) 75,000 gallon rainwater catchment pond, and (1) 65,000 gallon pond, and applicant wishes to drill 2 non hydrologically connected well to supplement water use, however, the primary water source will be rain catchment and storage of such water. A Small Domestic Use Registration has been submitted with the State Water Resources Control Board Division of Water Rights.

The Applicant estimates their yearly water usage for cannabis to be 650,000 gallons and can meet that water storage requirement for the forbearance period with 55 5,000-gallon total 275,000 gallons in water tanks with rain catchment capabilities which the Applicant fills from November through March. The Applicant also has three (1) 500-gallon tank used for cannabis watering. The Applicant also has three (3) 2,500-gallon and two (1) 2,500-gallon hard storage water tanks designated for fire department use.

All irrigation of cannabis is completed by a timed drip irrigation system, which allows water to be monitored and distributed at an agronomic rate which prevents any over watering or run off.

10.3 Watershed Protection

The Applicant has a Water Resource Protection Plan ("WRRP") for the Parcel and is enrolled in the Water Board's Waiver of Waste Discharge program as a Tier II discharger. A copy of the WRRP is included in the Other Permits, Licenses and Documents section of this application.

11.0 Distances from Significant Landmarks

There are no schools, school bus stops, places of worship, public parks or Tribal Cultural Resources within 600 feet of the cultivation site. There also are not any off-site residences within 300 feet of the cultivation site

II. Cultivation and Operations Plan

1.0 Water Use

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3.0 Materials Storage

Currently, there are no pesticides or herbicides registered specifically for use directly on cannabis. Neem oil, horticulture oil and sulfur are used to control mites and powdery mildew. These items were accepted under Legal Pest Management Practices for Marijuana Growers in California.

The applicant is currently not using any fertilizers or nutrients on his plants, but is brewing his own compost tea on site. The storage area is in need of posted instructions for storing fertilizers and amendments, instructions for cleaning up spills and a spill kit that contains a container, gloves, towels, absorbent socks and an absorbent material (kitty litter). This is outlined in the Applicant's included Water Resource Protection Plan.

4.0 Cultivation Activities

Cultivation activities are outlined below per greenhouse.

Greenhouse	Plant-Harvest 1	Plant-Harvest 2	Plant-Harvest 3	Plant-Harvest 4	Plant-Harvest 5
1-10	5/15 to 7/22	7/25 to 9/10			
10-20	5/19 to 7/27	7/30 to 9/15			

20-26	5/23 to 8/05	8/08 to 9/20			
27	1/24 to 3/24	3/27 to 5/27	6/2 to 8/2	8/6 to 10/6	10/8 to 12/17

The lighting for the greenhouses permitted for mixed light cultivation will be used when ambient light is insufficient for cultivation needs. The preference will be to use as much natural light as possible. The Parcel has solar power sufficient to cultivate the mixed light cultivation, the parcel has also applied for grid power, and Applicant will use solar power and when available and needed, grid power for cultivation needs. When the lighting needs exceed available grid power and or solar power, applicant will use generator as backup power where needed. All generators used on property will comply with all noise and pollution requirements then in effect for their operation for cannabis cultivation. Greenhouses are supplied with blackout tarps to prevent light from escaping the greenhouses during sunset hours.

5.0 Processing Practices

After being harvested, the cannabis is taken into the Shop (see Site Plan) where it will be dried, cured and stored. Machine trimming will take place in the Shop building by the applicant. There be a maximum of eight (8) employees. Applicant will meet all ADA standards for the addition of employees. Applicant may also from time to time use a third party properly permitted and licensed to be a processor of cannabis. Processing will occur throughout the year, in alignment with the cultivation schedule.

All work surfaces and equipment are maintained in a clean, sanitary condition. Protocols to prevent the spread of mold are strictly followed. The final cannabis product is stored in a secure location.

All cultivation related waste is stored in trash containers and kept on site near the Shop. When necessary, waste is taken to the nearest facility for processing. Green waste is also appropriately stored and taken to the nearest facility for processing when necessary.

The Applicant will be utilizing the California track and trace program known as Metrc and will comply with any program adopted by the state of California or Humboldt County, and will abide by all appropriate record keeping practices.

6.0 Security Measures

The road/driveway accessing the Property is blocked by locked gates. Gates are of heavy steel construction and a 5/16 inch harden steel shackle combination lock is used. There are also four (4) game cameras strategically placed around the Parcel.

ADDENDUM TO CULTIVATION OPERATIONS PLAN
FOR PLN-11971-CUP



- 1) The project will only be using 2 ponds to provide water for cannabis cultivation operations. Pond 1 is 328,000 gallons and Pond 2 300,000.
- 2) No well is being proposed at this time
- 3) There are (40) 5,000 gallon tanks with an additional (15) proposed
- 4) Annual anticipated water usage for cannabis cultivation operation is approximately 650,000 gallons per year.
- 5) There are 2 ADA compliant portable facilities on site for employee use.
- 6) There are 2 portable sanitation stations on site for employee use.



MMG-MANAGMENT V, LLC
APN: 033-120-009

VICINITY MAP
1:10,000

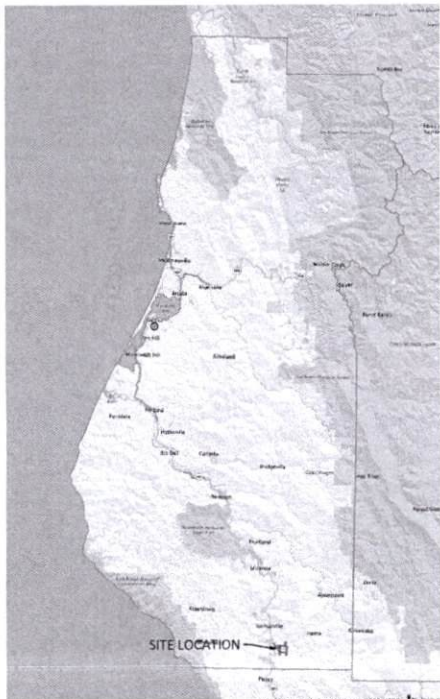


IMAGE SOURCE: Bing 2020

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PROJECT DIRECTIONS

FROM EUREKA, CA
-HEAD SOUTH ON US-101 (89.0 MI)
-TAKE EXIT 636 TOWARD BENBOW (0.2 MI)
-TURN LEFT ONTO LAKE BENBOW DR. (1 MI)
-SLIGHT LEFT ONTO BENBOW DR. (.4 MI)
-TURN RIGHT ONTO BLUE ROCK RD. (.1 MI)
-CONTINUE ONTO FAIRWAY DR. (.2 MI)
-TURN LEFT (.5 MI)
-CONTINUE ONTO RED ROCK RD. (1.1 MI)
-TURN LEFT TO STAY ON RED ROCK RD. (.6 MI)
TRAVEL TIME
APPROXIMATELY: 1 H 20 MIN (72.6 MI)

SHEET INDEX

CP-COVER PAGE
C1-PARCEL OVERVIEW

PROPERTY LINES, DISTANCES, AND
BUILDING LOCATIONS ARE APPROXIMATE
AND BASED ON AERIAL MAPS AND GPS DATA
TAKEN IN THE FIELD.

PROJECT INFORMATION

LAT/LONG: 40.0525, -123.7612
APN: 033-120-009
APPLICANT: MMG-MANAGEMENT V, LLC
PARCEL SIZE: ± 23.41 ACRES
ZONING: AE
APPLICATION TYPE:

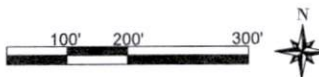
COASTAL ZONE: N
100 YEAR FLOOD: N

AGENT:
KAYLIE SAXON
GREEN ROAD CONSULTING INC
1650 CENTRAL AVE. SUITE C
MCKINLEYVILLE, CA 95519
707-630-5041

AERIAL MAP



IMAGE SOURCE: Bing 2020



PROJECT INFORMATION

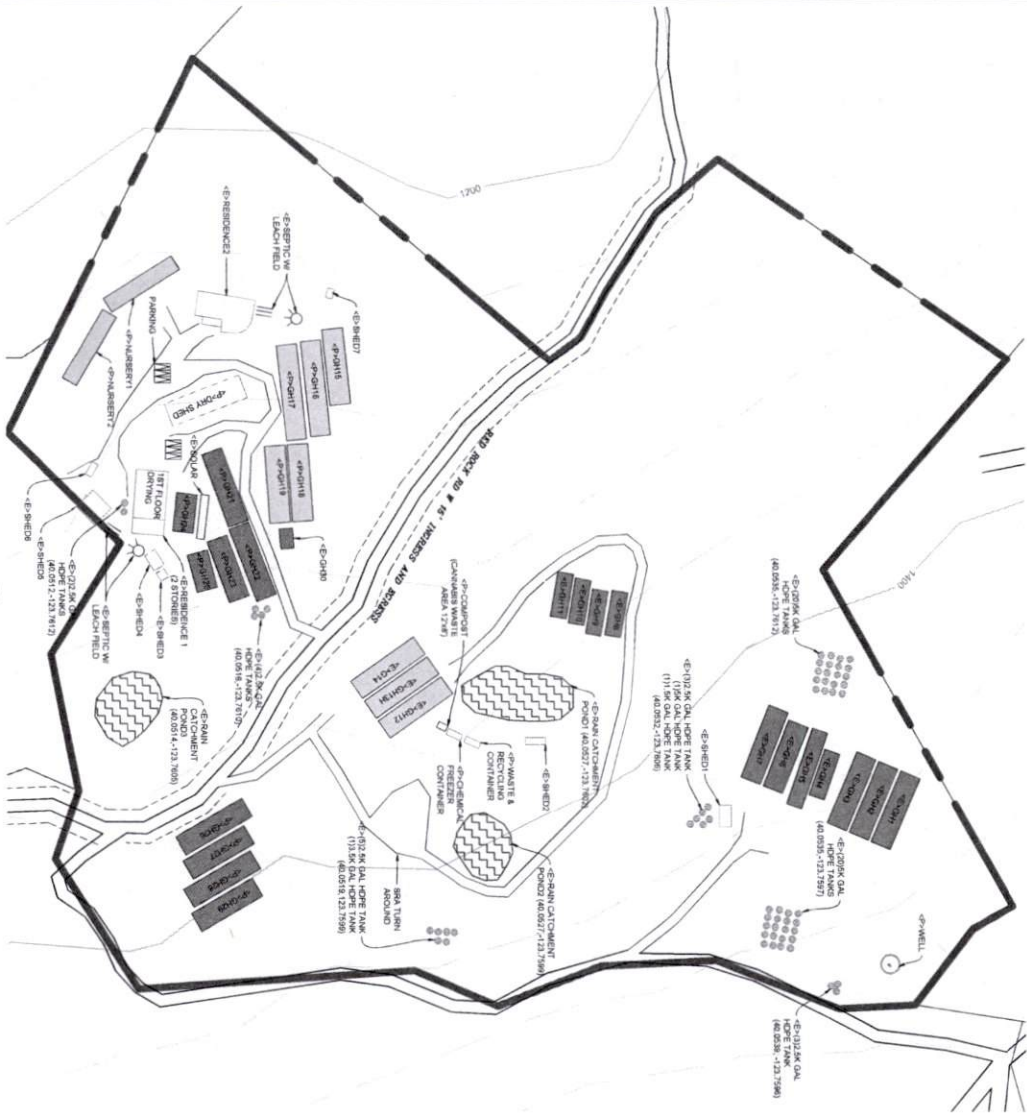
PROPERTY OWNER
MMF LAND V LLC
ADDRESS
1891 RED ROCK RD BENBOW CA 95542
SHEET INFO
COVER PAGE

REVISIONS		
NO.	NOTES	DATE
1	NOTES	05/05/21
2	NOTES	05/05/21
3	NOTES	05/05/21
4	NOTES	05/05/21
5	NOTES	05/05/21
6	NOTES	05/05/21

DATE
11/16/21
DRAFTER
XX
SCALE
AS SHOWN
SHEET
CP

PARCEL OVERVIEW

APN: 033-120-009



SHEET INFORMATION

Outdoor Cultivation Area

SH	LENGTH	WIDTH	SQ FT
1	100	10	1000
2	100	10	1000
3	100	10	1000
4	100	10	1000
5	100	10	1000
6	100	10	1000
7	100	10	1000
8	100	10	1000
9	100	10	1000
10	100	10	1000
11	100	10	1000
12	100	10	1000
13	100	10	1000
14	100	10	1000
15	100	10	1000
16	100	10	1000
17	100	10	1000
18	100	10	1000
19	100	10	1000
20	100	10	1000
21	100	10	1000
22	100	10	1000
23	100	10	1000
24	100	10	1000
25	100	10	1000
26	100	10	1000
27	100	10	1000
28	100	10	1000
29	100	10	1000
30	100	10	1000

MIXED LIGHT CULTIVATION AREA

SH	LENGTH	WIDTH	SQ FT
31	100	10	1000
32	100	10	1000
33	100	10	1000
34	100	10	1000
35	100	10	1000
36	100	10	1000
37	100	10	1000
38	100	10	1000
39	100	10	1000
40	100	10	1000

TOTAL Mixed Light Area = 660 SQ FT

PROPOSED IMMATURE PLANT AREA

NUMBER	LENGTH	WIDTH	SQ FT
1	100	10	1000
2	100	10	1000
3	100	10	1000
4	100	10	1000
5	100	10	1000
6	100	10	1000
7	100	10	1000
8	100	10	1000
9	100	10	1000
10	100	10	1000

CULTIVATION BUILDINGS AND USE

USE	USE	USE
WATER TREATMENT	WATER TREATMENT	WATER TREATMENT
CHEMICAL FREEZER	CHEMICAL FREEZER	CHEMICAL FREEZER
REFERENCE 1	REFERENCE 1	REFERENCE 1
PROPOSED DRY BED	PROPOSED DRY BED	PROPOSED DRY BED

DOMESTIC BUILDINGS AND USE

USE	USE	USE
RESIDENCE 1	RESIDENCE 1	RESIDENCE 1
RESIDENCE 2	RESIDENCE 2	RESIDENCE 2
BEED 1	BEED 1	BEED 1
BEED 2	BEED 2	BEED 2
BEED 3	BEED 3	BEED 3
BEED 4	BEED 4	BEED 4
BEED 5	BEED 5	BEED 5
BEED 6	BEED 6	BEED 6
BEED 7	BEED 7	BEED 7

WATER STORAGE AND USE

TYPE	QUANTITY	GALLONS	TOTAL GALLONS
RAIN CATCHMENT POND 1	1	324,000	324,000
RAIN CATCHMENT POND 2	1	324,000	648,000
RAIN CATCHMENT POND 3	1	324,000	972,000
HOPE TANK	40	1,000	398,000
HOPE TANK	1	3,500	398,000
BLADDER	3	20,000	400,000

TOTAL AMOUNT OF WATER STORAGE = 1,391,000 GALLONS

WATER SOURCE

TYPE	LOCATION
RAIN CATCHMENT POND 1	46,527, -123, 1502
RAIN CATCHMENT POND 2	46,525, -123, 1596
RAIN CATCHMENT POND 3	46,512, -123, 1555

THESE ARE NO OFF SITE RESOURCES WITHIN 100 FEET OF THE CULTIVATION AREA.



PROJECT INFORMATION

PROPERTY OWNER MMF LAND V LLC
ADDRESS 1891 RED ROCK RD BENBOW CA, 95542
SHEET INFO PARCEL OVERVIEW



REVISIONS	NO	DATE	NOTES
1	11/14/21		
2			
3			
4			
5			
6			
7			
8			
9			
10			

SCALE AS SHOWN

SHEET C1