

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

**Resolution Number: 25-017**

**Record Number: PLN-13337-CUP**

**Assessor's Parcel Number: 218-081-002**

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

**WHEREAS**, Finmark Farms, LLC provided an application and evidence in support of approving a Conditional Use Permit for 40,000 square feet of existing outdoor commercial cannabis cultivation with no ancillary nursery; and

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

**WHEREAS**, the Humboldt County Planning Commission held a duly-noticed public hearing on April 3, 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 40,000 square feet of existing outdoor commercial cannabis cultivation with no separate ancillary nursery. Estimated annual water usage is 386,812 gallons sourced from two rainwater catchment ponds. One pond is located on APN 218-051-008 and the other is located on APN 218-081-003. Total water storage consists of the 350,000-gallon pond on APN 218-051-008 and the 2,000,000-gallon pond on APN 218-081-003 as well as 5,000 gallons of onsite tanks. Onsite processing in the form of drying is proposed with all other processing to proposed to occur on 218-081-003. Power is provided by PGE and no generator use is proposed.

**EVIDENCE:**            a) Project File: PLN-13337-CUP

**2. FINDING:**

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

**EVIDENCE:**

- a) Addendum prepared for the proposed project.
- b) The proposed project does not present substantial changes that would require major revisions to the previous MND. No new information of substantial importance that was not known and could not be known at the time was presented as described by section 15162(c) of CEQA Guidelines.
- c) The project has demonstrated compliance with the State Water Board Cannabis General Order for Waste Discharge by providing a copy of the Notice of Applicability and a Site Management Plan.
- d) A review of the California Natural Diversity Database does not indicate the presence of species or sensitive communities of concern. The nearest mapped Northern Spotted Owl activity centers are (HUM0644) approximately 1.1 miles to the south and (HUM0223) approximately 2.7 miles to the northwest. The project has been conditioned to ensure supplemental lighting associated with the nursery adheres to Dark Sky Association standards including security lighting. As proposed and conditioned, the project is consistent with CMMLUO performance standards and CDFW guidance and will not negatively affect the northern spotted owl or other sensitive species.
- e) A review of the California Natural Diversity Database does not indicate the presence of species or sensitive communities of concern.
- f) An evaluation of the road to the subject parcel indicates it can accommodate expected traffic.
- g) The continued cultivation of commercial cannabis will not result in a net timber conversion.

- h) A Cultural Resource Investigation was conducted which did not identify any Tribal Cultural Resources. The project is conditioned with the standard inadvertent discovery protocol as a condition of approval.

### **FINDINGS FOR CONDITIONAL USE PERMIT**

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

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

- 4. FINDING:** The proposed development is consistent with the purposes of the existing Forestry Recreation (FR) zone in which the site is located.

- EVIDENCE:**
- a) The Forestry Recreation (FR) zone is intended to be applied to forested areas of the County in which timber production and recreation are the desirable predominant uses and agriculture is the secondary use, and in which protection of the timber and recreational lands is essential to the general welfare.
  - b) General agriculture is a principally permitted use in the Forestry Recreation (FR) 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 40,000 square feet of existing outdoor commercial cannabis cultivation on a 43-acre parcel is consistent with this and with the cultivation area verification conducted by staff.
  - d) All structures meet appropriate setbacks.

**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 Forestry Recreation (FR) (HCC 314-55.4.8.2.2).
  - b) The parcel was created in compliance with all applicable state and local subdivision regulations as it was created by Parcel Map 58 (lot 100) recorded in Book 1 of Parcel Maps page 75.
  - c) The project will obtain water from rainwater catchment, an eligible water source. The applicant has provided a rainwater catchment analysis demonstrating sufficient irrigation water can be collected in a low rainfall year.
  - d) A road evaluation found the access roads can accommodate the expected traffic.
  - e) The slope of the land where existing cannabis will be cultivated is 0% to 30%. No new grading will occur.
  - f) The continued cultivation of cannabis will not result in the net conversion of timberland.
  - g) The location of the cultivation complies with all setbacks required in Section 314-55.4.11.d. It is more than 30 feet from any property line and more than 600 feet from any school, church, public park, or Tribal Cultural Resource.

**6. FINDING:** The continued cultivation of 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 40 acres or more and many of the land holdings are very large. The proposed cannabis will not be in a location where there is an established neighborhood or other sensitive receptor such as a

school, church, park, or other use which may be sensitive to cannabis cultivation. Approving cultivation on this site and the other sites which have been approved or are in the application process will not change the character of the area due to the large parcel sizes in the area.

- c) Irrigation water will come from a rainwater catchment, an eligible water source.
- d) Provisions have been made in the applicant's proposal to protect water quality and thus runoff to adjacent property and infiltration of water to groundwater resources will not be affected.

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

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

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

**EVIDENCE:** a) The project site is in the Middle Main Eel Planning Watershed, which under Resolution 18-43 is limited to 360 permits and 125 acres of cultivation. With the approval of this Conditional Use Permit, the total approved permits in this planning watershed would be 115 permits and the total approved acres would be approximately 47.93 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 Finmark Farms, LLC subject to the conditions of approval attached hereto as Attachment 1.

Adopted after review and consideration of all the evidence on **April 3, 2025**.

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

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

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS: Noah Levy

ABSTAIN: COMMISSIONERS:

DECISION: Motion carried 6/0

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



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John H. Ford, Director  
Planning and Building Department

**CONDITIONS OF APPROVAL  
PLN-13337-CUP**

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

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

1. Within 60 days of the effective date of permit approval, the permittee shall execute a Compliance Agreement with the Humboldt County Planning and Building Department described under Conditions of Approval **A8** through **A9**. All activities described in the agreement must be completed to the satisfaction of the Planning and Building Department before the permit may be finalized and no longer considered provisional.
2. Within 60 days of the effective date of project approval, the permittee shall execute and file with the Planning Division the statement titled, "Notice and Acknowledgment regarding Agricultural Activities in Humboldt County," ("Right to Farm" ordinance) as required by the HCC and available at the Planning and Building Department.
3. Within 60 days of the effective date of project approval, the permittee shall pay a conformance review deposit as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors. The permittee is responsible for costs for post-approval review for determining project conformance with conditions. Payment shall be made to the Humboldt County Planning Division, 3015 H Street, Eureka. Permit conformance with conditions must be demonstrated prior to release of building permit or initiation of use and at time of annual inspection.
4. Within 90 days from the effective date of project approval, the permittee shall provide an update or supplement to the Site Plan providing the following:
  - a. Employee parking;
  - b. Location of water storage dedicated exclusively to fire protection
  - c. Location of all surface water features and springs

- d. Annotations of which features or facilities are not associated with the cannabis operations
  - e. Depiction of appropriate setbacks for streamside management areas and riparian buffers.
  - f. The onsite relocation of cultivation within riparian buffers.
5. Prior to resuming cultivation, the permittee shall install and maintain water meter(s) and monthly water usage logbooks to track water usage for cannabis irrigation. Records must be kept of monthly usage and made available during annual inspections.
  6. Prior to resuming cultivation, the permittee shall provide documentation demonstrating the installation of water storage dedicated exclusively to fire suppression.
  7. Within 90 days of the permit effective date, the permittee shall provide either a will serve letter from the Palo Verde Voluntary Fire Company OR shall 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 the Board of Supervisors will be required.
  8. The permittee shall obtain permits or exemptions for all structures associated with the cannabis operation.
  9. The permittee shall provide documentation demonstrating that the sight visibility standards and encroachment for the two intersections of Hogtrap Road and Island Mountain Road have been met to the satisfaction of Public Works.
  10. Within 90 days of the effective date of permit approval, the permittee shall record an easement and/or contingent easement between APNs 218-051-008; 218-081-002; 218-081-006; 218-091-003; 218-090-001; 218-081-001; and 218-081-003 regarding placement of water lines to connect the ponds on 218-051-008; 218-190-001; and 218-071-003 and irrigation systems serving project application numbers 13374, 13337, 13367, 13336, 13356, and 13365.
  11. Prior to resuming cultivation, the permittee shall provide an onsite relocation and restoration plan for the area of cultivation identified by CDFW near coordinates (40.0377, -123.5936) as within the riparian buffer. No cultivation may occur

within streamside management areas or riparian buffers. The permittee shall also provide a stormwater plan to ensure runoff is routed away from the stream channel and into settling basins or bioswales. Once the relocation and restoration plan is received, cultivation may resume in existing areas outside of riparian buffers. Cultivation in the new relocation area may commence only after review and approval by the Planning and Building Department.

12. Processing of cannabis from APN 218-081-002 (PLN-13337-CUP) may not occur on adjacent parcel 218-081-003 until conditions of approval A7 and A9 from approved project PLN-13356-SP have been satisfied. Conditions of approval A7 and A9 from PLN-13356-SP require appropriate building permits and wastewater facilities.

## **B. General Conditions**

1. The cultivation area is limited to the amounts and type as described in the staff report and site plan. Cultivation area is limited to the proportion of irrigation water available from approved sources. If available irrigation water is less than the annual water budget, then the amount of cultivation will be reduced accordingly. Domestic water or other water sources shall not be used.
2. No new grading is authorized.
3. Portable toilets may be used to support cultivation operations (but not processing in the form of trimming or packaging). Records of the provision of portable toilets must be kept and made available upon request during annual inspections.
4. No generators will be used for any reason.
5. No timber conversion is authorized. If a Registered Professional Forester determines tree removal is needed to protect the structures, then one of the following must occur:
  - a. Relocate the structure to avoid tree removal; OR
  - b. Remove the structure and convert to a compatible use (e.g. remove greenhouse and convert to full sun cultivation; OR
  - c. Provide additional biological assessment conducted by a qualified professional demonstrating to the satisfaction of the Planning and Building Department and CDFW that the tree removal will not have a significant

impact on habitat or species or sensitive communities nor will result in timber conversion.

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 the applicant is responsible for this cost to the project.
7. The applicant is responsible for obtaining all necessary County and State permits and licenses, and for meeting all requirements set forth by other regulatory agencies.
8. The applicant 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.
9. 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.
10. If monofilament netting is used, best management practices must be implemented to ensure no wildlife entrapment or release into the environment. See also Condition of Approval C5.
11. The burning of plant material associated with the cultivation and processing of commercial cannabis is prohibited.

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

1. If cultural resources are encountered during construction activities, the contractor on site shall cease all work in the immediate area and within a 50-foot buffer of the discovery location. A qualified archaeologist and the appropriate Tribal Historic Preservation Officer(s) are to be contacted to evaluate the discovery and, in consultation with the applicant and the lead agency, develop a

treatment plan in any instance where significant impacts cannot be avoided. Prehistoric materials may include obsidian or chert flakes, tools, locally darkened midden soils, ground-stone artifacts, shellfish or faunal remains, and human burials. If human remains are found, California Health and Safety Code 7050.5 requires that the County Coroner be contacted immediately at 707-445-7242. If the Coroner determines the remains to be Native American, the Native American Heritage Commission will then be contacted by the Coroner to determine appropriate treatment of the remains pursuant to Public Resources Code (PRC) Section 5097.98. Violators shall be prosecuted in accordance with PRC Section 5097.99.

2. The combination of background, generator and greenhouse fan or other operational equipment created noise must not result in the harassment of Northern Spotted Owl species as required to meet the performance standards for noise set by Department Policy Statement No. 16-005. The combined noise levels measured at 100 feet or the edge of habitat, whichever is closer, shall be at or below 50 decibels. Conformance will be evaluated using current auditory disturbance guidance prepared by the United State Fish and Wildlife Service, and further consultation where necessary. A building permit shall be obtained should any structures be necessary for noise attenuation.
3. All artificial lighting shall be fully contained within structures such that no light escapes (e.g., through blackout curtains). Structures shall be shielded between 30 minutes prior to sunset and 30 minutes after sunrise to prevent disruption to crepuscular wildlife. Security lighting shall be motion activated and comply with the International Dark-Sky Association standards and Fixture Seal of Approval Program. Standards include but are not limited to the following, 1) light shall be shielded and downward facing, 2) shall consist of low-pressure sodium light or low spectrum light emitting diodes with a color temperature of 3000 kelvins or less and 3) only placed where needed.
4. Should the Humboldt County Planning Division receive complaints that lighting or noise is not complying with the standards listed above in this permit, within ten (10) working days of receiving written notification that a complaint has been filed, the applicant shall submit written verification that the light shielding and alignment, and noise levels have been repaired, inspected, and corrected as necessary.
5. The use of monofilament netting for erosion control shall be prohibited. Geotextiles, fiber rolls, and other erosion control measure materials shall be

made of loose-weave mesh, such as jute, hemp, coconut (coir) fiber, or other products without welded weaves to minimize the risk of ensnaring and strangling wildlife.

6. All refuse shall be contained in wildlife proof containers, always, and relocated to an authorized waste management facility, in compliance with State and local laws, on a regular and on-going basis.
7. Should any wildlife be encountered during work activities, the wildlife shall not be disturbed and be allowed to leave the work site unharmed.
8. The use of anticoagulant rodenticide is prohibited.
9. The operator shall provide information to all employees about the potential health impacts of cannabis use on children. Information shall be provided by posting the brochures from the Department of Health and Human Services titled "Cannabis Palm Card" and "Cannabis Rack Card." This information shall also be provided to all employees as part of the employee orientation.
10. All components of the project shall be developed, operated, and maintained in conformance with the Project Description, the approved Site Plan, the Plan of Operations, the CMMLUO, and these conditions of approval.
11. If operating pursuant to a written approved compliance agreement, permittee shall abate or cure violations at the earliest feasible date, but in no event no more than two (2) years from the date of issuance of a provisional clearance or permit. Permittee shall provide plans for curing such violations to the Planning and Building Department within one (1) year of issuance of the provisional clearance or permit. If good faith effort toward compliance can be shown within the two years following the issuance of the provisional clearance or permit, the Department may, at the discretion of the Director, provide for extensions of the provisional permit to allow additional time to meet the outstanding requirements.
12. Compliance with all statutes, regulations, and requirements of the California State Water Resources Control Board and the Division of Water Rights, at a minimum to include a statement of diversion of surface water from a stream, river, underground stream, or other watercourse required by Water Code Section 5101, or other applicable permit, license, or registration, as applicable.

13. Confinement of the area of cannabis cultivation, processing, manufacture, or distribution to the locations depicted on the approved site plan. The commercial cannabis activity shall be set back at least 30 feet from any property line, and 600 feet from any school, school bus stop, church or other place of religious worship, or tribal cultural resources, except where a reduction to this setback has been approved pursuant to Section 55.4.11(d).
14. Applicant must adhere to and implement the Site Management Plan. A copy of the reporting form portion of the Mitigation and Reporting Program (MRP) shall be submitted to the Planning and Building Department upon request.
15. Applicant must demonstrate and maintain enrollment in Tier 1 or 2 in accordance with State Water Resources Control Board Order No. WQ 2019-0001-DWQ, or any substantially equivalent rule that may be subsequently adopted by the County of Humboldt or other responsible agency.
16. Comply with the terms of any applicable Lake and Stream Alteration (1600 or 1602) Agreement obtained from the California Department of Fish and Wildlife (CDFW).
17. Comply with the terms of a less-than-3-acre conversion exemption or timberland conversion permit, approved by the California Department of Forestry and Fire Protection (Cal Fire), if applicable.
18. Consent to an annual on-site compliance inspection, with at least 24 hours prior notice, to be conducted by appropriate County officials during regular business hours (Monday through Friday, 9:00 a.m. to 5:00 p.m., excluding holidays).
19. Refrain from the improper storage or use of any fuels, fertilizer, pesticide, fungicide, rodenticide, or herbicide.
20. Pay all applicable application, review for conformance with conditions and annual inspection fees.
21. Fuel shall be stored and handled in compliance with applicable state and local laws and regulations, including the County of Humboldt's Certified Unified Program Agency (CUPA) program, and in such a way that no spillage occurs.
22. The master logbooks maintained by the applicant to track production and sales shall be maintained for inspection by the County.

23. Pay all applicable taxes as required by the Humboldt County Commercial Marijuana Cultivation Tax Ordinance (Humboldt County Code Section 719-1 et seq.).

Performance Standards for Cultivation and Processing Operations

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

- (4) Hazard communication policies, including maintenance of material safety data sheets (MSDS);
  - (5) Materials handling policies;
  - (6) Job hazard analyses; and
  - (7) Personal protective equipment policies, including respiratory protection.
- b. Cultivation operations and processing operations must visibly post and maintain an emergency contact list which includes at a minimum:
    - (1) Operation manager contacts;
    - (2) Emergency responder contacts; and
    - (3) Poison control contacts.
  - c. At all times, employees shall have access to safe drinking water and toilets and handwashing facilities that comply with applicable federal, state, and local laws and regulations. Plumbing facilities and water source must be capable of handling increased usage without adverse consequences to neighboring properties or the environment.
  - d. On site-housing provided to employees shall comply with all applicable federal, state, and local laws and regulations.
28. All cultivators shall comply with the approved processing plan as to the following:
- a. Processing practices
  - b. Location where processing will occur
  - c. Number of employees, if any
  - d. Employee Safety Practices
  - e. Toilet and handwashing facilities
  - f. Plumbing and/or septic system and whether or not the system is capable of handling increased usage
  - g. Drinking water for employees
  - h. Plan to minimize impact from increased road use resulting from processing
  - i. On-site housing, if any
29. Term of Commercial Cannabis Activity Permit. Any Commercial Cannabis Cultivation permit issued pursuant to the CMMLUO or CCLUO shall expire one (1) year after date of issuance, and on the anniversary date of such issuance each

year thereafter, unless an annual compliance inspection has been conducted and the permittees and the permitted site have been found to comply with all conditions of approval.

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

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

31. Permit Renewals to Comply with Updated Laws and Regulations. Permit renewal is subject to the laws and regulations effective at the time of renewal, which may be substantially different than the regulations currently in place and may require the submittal of additional information to ensure that new standards are met.
32. Acknowledgements to Remain in Full Force and Effect. Permittee acknowledges that the County reserves the right to reduce the size of the area allowed for cultivation under any clearance or permit issued in accordance with this section in the event that environmental conditions, such as a sustained drought or low flows in the watershed in which the cultivation area is located, will not support diversions for irrigation.
33. Transfers. Transfer of any leases or permits approved by this project is subject to the review and approval of the Planning Director for conformance with CMMLUO eligibility requirements and agreement to permit terms and acknowledgments.

The fee for required permit transfer review shall accompany the request. The request shall include the following information:

- a. Identifying information for the new owner(s) and management as required in an initial permit application;
- b. A written acknowledgment by the new owner in accordance as required for the initial permit application;
- c. The specific date on which the transfer is to occur;
- d. Acknowledgement of full responsibility for complying with the existing permit; and
- e. Execution of an Affidavit of Non-diversion of Medical Cannabis.

**Informational Notes:**

1. None

## Cultivation and Operations Plan

APN: 218-081-002 (C) PLN: 13337 Applicant: FinMark Farms LLC

Revised: 12/29/2024

### Project Description



### CULTIVATION ACTIVITIES:

Requests Humboldt County CCMLUO for 40,000 sq foot of existing outdoor Cannabis cultivation. Cultivation occurs inside of hoop houses and in open air cultivation areas. The irrigation water source is rainwater catchment on two adjacent parcels. Harvest Storage will occur in the Drying Barn on adjacent parcel.

### Water

#### Source:

Irrigation water for this project comes from the integrated rainwater distribution system serving PLN: 13374,13337,13367,13336,13356,&13365. See water availability analysis for further information and map.

Irrigation water for this project comes from two rainwater catch ponds. A rainwater catch pond with approximate capacity of 350,000 gallons located on APN: 218-051-008, and a rainwater catch pond with over 2,000,000 gallon capacity on APN: 218-071-003. these water sources provide ample water for all property needs.

#### Storage:

The property has two 2500 gallon hard storage tanks utilized to store and distribute rainwater. (2)2500 Total hard tank storage on subject parcel is 5,000 gallons.

The integrated rainwater distribution system has a total water storage capacity of approximately 3,900,000 gallons. Water is stored in a series of rainwater catch ponds and hard tanks. See water availability analysis for more information.

#### Irrigation Plan:

Irrigation of cannabis is completed by a timed, drip irrigation system preventing any over watering or runoff. The Applicant utilizes time of day watering, and moisture retentive soils for water conservation. Water is applied at no more than agronomic rates. No runoff is produced by irrigation practices.

#### Projected Water Usage:

Estimated 386,812 gallons of water use per growing season. Water usage will be recorded monthly and reported annually pursuant to the Water Board, CDFW, DWR, and/or any other relevant agency requirements.

| Jan | Feb | Mar | Apr    | May    | Jun   | Jul   | Aug   | Sep   | Oct   | Nov | Dec |
|-----|-----|-----|--------|--------|-------|-------|-------|-------|-------|-----|-----|
| 0   | 0   | 0   | 16,350 | 413300 | 61500 | 78000 | 82630 | 73500 | 34500 | 0   | 0   |

### 3 SITE CHARACTERISTICS

#### Drainage:

At all times water is used appropriately and applied at no more than agronomic rates. Site has well-draining soils and natural vegetation is maintained around all cultivation areas.

#### Runoff and Erosion Control Measures:

The Project Site can be accessed from Island Mountain Road via Hogtrap Road. All of Hogtrap Road is maintained by the Applicant in accordance with best management practices. To minimize runoff and erosion, road drainage structures (rolling dips, outsloping, ditch relief culverts, etc.) have been implemented on the parcel to hydrologically disconnect roads. All access roads onsite are well-maintained with adequate drainage to address runoff and erosion. Site is in compliance with all Water Board standards and is monitored and maintained regularly following all Best Management Practices. The roads are maintained regularly in accordance with the PWA Roads Handbook.

Buffers of native vegetation are maintained around all cultivation areas. Most of the parcel is maintained in a natural state and is conserved as wilderness.

Site is well vegetated with stable, undisturbed soils. Any exposed or disturbed areas of soil that are found during routine inspection shall be reseeded and mulched with straw and shall be monitored and maintained to promote revegetation. Erosion control measures (hay waddles, straw bales, etc.) are implemented on an as-needed basis prior to each rainy season to help minimize sediment discharge, in accordance with Water Board standards.

#### Watershed & Habitat Protection:

All trash, recycling, amendments, fertilizers, and other cultivation related materials are stored such that they are secured from wildlife and cannot be released into the natural environment.

Cultivation areas will be maintained to prevent nutrients from leaving the site at all times: during the growing season and post-harvest.

The road network is maintained to reduce potential effects as much as feasible. There are frequent road drainage features that eliminate sediment delivery to surface waters. There are permanent rolling dips to ensure road surface erosion is adequately controlled.

Buffers of natural vegetation and habitat are maintained around all areas of human activity. The majority of parcel is undeveloped and conserved in a wild state.

Applicant is enrolled in the Water Board's Cannabis program continuously since 2016 and maintains compliance with all program requirements and fees.

#### Hazardous Material Storage

All cultivation related items and waste is stored in locations and in a manner in which they cannot enter or be transported into surface waters and such that nutrients or other pollutants cannot be leached into groundwater, and cannot enter the environment.

#### Amendments and Nutrients:

Amendments will be brought to site and used immediately. No amendment stored onsite. All products applied per package directions or more conservatively.

The Applicant will apply fertilizers at agronomic rates and apply chemicals according to the label specifications, maintaining stable soil and growth media should serve to minimize potential for runoff as well.

#### Pesticides and Herbicides:

Only OMRI listed and/or Pest Management approved products will be utilized for pest and disease control. All products are stored offsite until needed for use. Secondary containment is provided for all liquid products. All products are applied using package directions.

#### Fuel:

Petroleum based fuels only used on an occasional basis. no Fuel is stored onsite. fuel is moved to the site in California compliant fuel cans placed in secondary containment. transition to solar is planned.

#### Soil Management:

The bulk of non-native soils onsite have already been present in the garden areas for multiple seasons and are amended annually. Only nominal amounts of supplemental non-native soils are brought to site each year, if at all. Any new soils brought to site are typically used immediately. Only nominal amounts of soil stored onsite are stored in an enclosure or in accordance with Caltrans Construction Manual Stockpile Management WM-3 guidelines. At the conclusion of each season's activities, the site is winterized. All smart pots and garden beds are mulched with straw to prevent soil transport during the off-season. It is highly unusual to have waste soil onsite. All soils are amended and reused. In the event of there being waste soil or spent growing medium, it will be transported off site and disposed of

at a licensed waste facility. Any waste soil/media shall be stored in accordance with Caltrans WM-3 until it can be transported off-site.

#### Solid Waste / Recycling:

Refuse and garbage is stored in a location and manner that prevents its discharge to receiving water and prevents any leachate or contact water from entering or percolating to receiving waters. Trash and recycling are stored in trash cans with lids and secured to prevent wildlife disturbance.

Trash and recycling removed from site at least once weekly or more frequently during active season. Disposal Facility used is Redway transfer station.

#### Generator use

Cultivation activities do not require the use of a generator. Drying and Processing will now occurs on an adjacent parcel (APN: 218-071-003) with PG&E power to ensure the farm can continue to comply with updated generator use regulations.

#### GREENHOUSE COMPLIANCE

The greenhouses have pervious floors (bare soil) and are in compliance with Humboldt County Code Section 314-43.1.3.2. They do not contain perimeter foundation, do not have improved floors.

#### SCHEDULE OF ACTIVITIES

##### Month

|           |                                                      |
|-----------|------------------------------------------------------|
| January   | No activity. Infrequent visits for site maintenance. |
| February  | No activity. Infrequent visits for site maintenance. |
| March     | Preparation. Bring materials to site.                |
| April     | Bring starts. Plant.                                 |
| May       | Nursery and transplanting.                           |
| June      | Farm operation and maintenance                       |
| July      | Farm operation and maintenance. Harvest              |
| August    | Farm operation and maintenance. Replant              |
| September | Farm operation and maintenance. Prep for Harvest     |
| October   | Harvest                                              |

November     Dry. Processing (offsite). Clean up.  
December     No activity. Infrequent visits for site maintenance.

## OPERATIONS AND PROCESSING PROTOCOLS

### Processing Practices:

Plants are harvested and dried in the Drying Barn located on the adjacent parcel APN: onsite with use of portable dehumidifiers and fans. Finished product is then moved to the secured Harvest Storage location.

Dependent upon market conditions, the operator may opt to conduct processing operations offsite, processing onsite, or may opt to not process at all (crop direct to extraction without processing). All operations will comply with all pertinent regulations. Processing may occur onsite and applicant reserves the right to opt to process offsite or conduct no processing (harvest straight to extraction) in future. Direct to Extraction (no processing) - crop or portion of crop sold direct to extraction with no processing required. Offsite Processing-crop or a portion of crop sent to licensed processing facility in compliance with all required regulations and documentation. Onsite Processing- crop or portion of crop processed onsite in the building noted on Site Map as "Drying Barn" utilizing trim machine. Any onsite processing will comply with all required safety and sanitation practices will be followed including frequent hand washing, and the wearing of gloves and masks. Any processing activities conducted onsite will follow all applicable regulations and requirements as stated by all agencies with jurisdiction

### Staffing:

No employees at this time. Operations conducted by LLC members. A maximum of 4 employees are anticipated to be needed for full operation of this farm. Applicant seeks to reserves the right to hire a third party staffing agency for seasonal peak staff needs.

### Days and Hours of Operation:

The facility is not open to the public and will not accept visitors without a specific business purpose.

Hours of operation will typically be from 10 AM to 3PM. Due to the remote location of the facility and the limited commercial activity window, there are anticipated to be no significant noise or traffic impacts upon the occupants of neighboring properties.

### Safety Practices:

Cultivation and processing operations implement best practices to the highest degree feasible. There no employees at this time, if the operation chooses to include employees in the future it will comply with any other relevant County and State regulations where applicable.

#### Safe Drinking Water. Toilets. and Sanitary Facilities:

At all times, there will be access to safe drinking water and toilets and hand washing facilities that comply with applicable federal, state, and local laws and regulations.

Applicant has contract with B+B portable toilet to provide and maintain toilet and hand-washing facilities in accordance with the requirements of all relevant regulations. There are also two existing septic systems onsite that serve buildings Not Used for Cultivation.

#### Road & Parking:

Project activities do not present a significant increase in road use. Onsite parking spots are noted on the Site Map. NO on-site Housing

### SECURITY PLAN

The security measures located on the premises will include the following:

- a) Lighting - Motion sensor lighting is installed around the facilities.
- b) Alarm -Guard dogs are also present on the property during operations.
- c) Access Control - All entrances to the facility are restricted by locked gates. The remote location of property provides an additional component of security.
- d) Fencing - The cultivation areas are fenced for wildlife providing intrusion protection.
- e) All cultivation related items and products will be stored in locked and secured locations.
- f) All Marijuana other than lab samples will be transported to State licensed and/or locally permitted licensed cannabis wholesale, distribution, or manufacturing companies by a State licensed and/or locally permitted licensed transport company.

# PARCEL OVERVIEW

APN: 218-081-002

Revised: 12/30/24

## CULTIVATION INFORMATION

### CULTIVATION AREA

CA #1 = (irregular) approx 200' x 175' = 35,000 FT<sup>2</sup>  
CA#2 = GH #1&2 25' x 100' = 2,500 FT<sup>2</sup> each TOTAL  
OUTDOOR CULTIVATION AREA = 40,000 FT<sup>2</sup>

POD not for cannabis use  
40.6309, 123.6022

ACCESS ROAD  
HOGTRAP ROAD

<E> CA#2

<E> (2) 2.5K GAL  
HDPE WATER TANKS

ACCESS ROAD

## CLASS III DRAINAGE

proposed relocation of greenhouse 20 ft. south  
to ensure cultivation is outside of SMA for  
Class three streamhead identified by CDFW.  
500yd will be relocated to adjacent previously  
disturbed area.

## WATER STORAGE & USE

TYPE  
POND  
HDPE

NUMBER

SIZE

2,000,000+  
GALLONS 5,000  
GALLONS

ONSITE WATER STORAGE = 10,000 GALLONS

## WATERSOURCE

POND-RAINWATER CATCHMENT APN: 218-081-003

## POWERSOURCE

NONE

UNNAMED CLASS III DRAINAGE WITH REQUIRED 50 FT BUFFER

## SURROUNDING BUILDINGS

THERE ARE NO SCHOOLS, BUS STOPS, PLACES OF WORSHIP,  
PUBLIC PARKS OR TRIBAL CULTURAL RESOURCES  
WITHIN 600 FEET OF THE CULTIVATION SITE

THERE ARE NO OFF SITE RESIDENCES  
WITHIN 300 FEET OF THE CULTIVATION SITE



175' 350' 700'

## PROJECT INFORMATION

PROPERTY OWNER MARK FINLEY  
ADDRESS 1778 HOGTRAP ROAD NEW HARRIS, CA 95542  
SHEET INFO PARCEL OVERVIEW

## REVISIONS

| NO | NOTES | DATE |
|----|-------|------|
|    |       |      |
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DATE  
DRAFTER  
SCALE AS SHOWN

SHEET

PO

