

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

**Resolution Number 23-084**

**Record Number PLN-12987-CUP**

**Assessor's Parcel Numbers: 216-094-009-000**

**Resolution by the Planning Commission of the County of Humboldt certifying compliance with the California Environmental Quality Act and conditionally approves the Ram Ram Bliss 2, LLC Conditional Use Permit.**

**WHEREAS, Ram Ram Bliss 2, LLC,** submitted an application and evidence in support of approving a Conditional Use Permit for the continued operation of an existing 11,762 square feet of existing outdoor light deprivation and full-term commercial cannabis cultivation, and appurtenant nursery & on-site processing activities; and

**WHEREAS,** the County Planning Division, the lead agency, prepared an Addendum to the Final 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 September 21, 2023, 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:

**FINDING:**                    **Project Description:** A Conditional Use Permit for 11,762 square feet of existing outdoor light deprivation and full-term commercial cannabis cultivation. The anticipated irrigation need is 252,000 gallons per annum (21.4 gallons per ft<sup>2</sup>). Water is sourced from three onsite ponds. Water storage for irrigation consists of one (1) 162,000-gallon pond, one (1) 140,000-gallon pond, one (1) 90,000-gallon pond, two (2) 20,000-gallon bladders, one (1) 15,000 gallon bladder, one (1) 24,000 gallon metal tank, seven (7) 3,000 gallon poly tanks, two (2) 5,000 gallon poly tanks, two (2) 1,000 gallon tanks, one (1) 500 gallon tank, and one (1) 300 gallon tank for a total of 505,400 gallons of water storage. Processing activities

including drying, curing, and trimming occur onsite within a 968 square foot building. Power is provided through a mix of solar and generator use.

**EVIDENCE:** Project File: PLN-12987-CUP

**2. FINDING:** **CEQA.** The requirements of the California Environmental Quality Act have been complied with. The Humboldt County Planning Commission has considered the Addendum to and the Mitigated Negative Declaration (MND) prepared for the Commercial Medical Marijuana Land Use Ordinance (CMMLUO) adopted by the Humboldt County Board of Supervisors on January 26, 2016.

**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 applicant received water right documentation (Reg. No. H501934) from the State Water Resources Control Board for the right to divert water from Pond 1 and 2.
- d) The project parcel has existing available water storage is 392,000-gallons in three (3) rainwater catchment ponds as well as 55,000 gallons in water bladders, 24,000 gallons in a metal tank, seven (7) 3,000-gallon tanks, two (2) 5,000-gallon tanks, two (2) 1,000 gallon tanks, one (1) 500 gallon tank, and three (3) 300 gallon tanks. Total water storage is 505,400 gallons. Estimated annual water usage is approximately 252,000 gallons (21.4 gal/ft<sup>2</sup>). A Water Resource Protection Plan (WRPP) was prepared by Timber Resource Consultants January 23, 2018. The WRPP was prepared in fulfillment of State Water Resources Control Board (SWRCB) General Order WQ 2019-0001-DWQ. The document was prepared to meet the North Coast Regional Water Quality Control Board (NCRWQCB) requirements for Tier 2 discharges of waste resulting from cannabis cultivation (WDID No. 1\_12CC419219). The subject parcel includes several watercourses, all of which are tributary to Jewett Creek, a tributary to the Eel River. As a condition of approval, the applicant shall remediate/clean-up/restore items 1-3, 5, 7, and 10, as specified in the WRPP.

- e) The project was referred to California Department of Fish and Wildlife (CDFW) on July 7, 2019. CDFW provided comment for the project on June 22, 2023. Per the recommendations of CDFW the applicant shall consolidate all generators to one (1) centralized area on the property. Additionally, the applicant shall implement appropriate noise and fuel containment to minimize disturbance to sensitive wildlife species. Further, the applicant shall transition to PG&E or a renewable energy source by January 1, 2026. The applicant shall also submit a stream restoration plan that is approved by CDFW to restore the impacted drainage for the Class III tributary to Jewett Creek. The dirt road on the northern part of the parcel is currently hydrologically connected to surface waters. The final Lake and Streambed Alteration Agreement for the project is expired and had a required completion date not later than July 15, 2019. Work for Crossing 3 (see referral comment in Attachment 4) has not been completed, nor has the applicant submitted a work completion report. The applicant shall complete all work and submit reporting to CDFW as a condition of project approval. The applicant shall remove all infrastructure and debris from the stream channel and SMA within 30 days of project approval. As a condition of approval, the applicant shall decommission the road and construct water bars to mitigate road runoff to the streams. The applicant is required to comply with International Dark Sky Standards, and shall ensure that all noise levels do not go above 50 decibels at 100-feet or any tree line when noise generating equipment are in use.
- f) A final Lake and Streambed Alteration Agreement (LSAA) was executed with the California Department of Fish and Wildlife on February 26, 2018. Nine (9) encroachments were to be mitigated on the project parcel. The LSAA for the project is over five (5) years old and has expired. The applicant shall renew the LSAA with CDFW if all work has not been executed to the satisfaction of CDFW as a condition of project approval.
- g) The project site is not located within mapped Aboriginal Ancestral Territories. The project was referred to the Northwest Information Center (NWIC). NWIC recommended a Cultural Resource Study be conducted for the project parcel. The applicant submitted a Cultural Resource Investigation prepared by Arsenault & Associates, dated February 19, 2021. A comprehensive field survey was conducted, and no cultural artifacts were found. The project is not anticipated to impact any tribal cultural resources;

however, the applicant will be required to adhere to the inadvertent discovery protocol.

- h) Access to the project site is by way of a County-maintained Road, Bliss Lane. The project was referred to the Department of Public Works on January 9, 2023, and comments were received by the agency on July 2, 2019. Comments from Public Works stated that the County Road that has gravel at the location of the access road shall be rocked for a minimum width of 20 feet where it intersects the County Road. The operations are pre-existing, and no increase in traffic is anticipated.

### **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 and intensive agriculture are allowed uses in lands designated Residential Agriculture (RA).
  - b) The proposed project is not planned or zoned as open space, does not have a combining zone that would be considered open space.

**4. FINDING** The proposed development is consistent with the purposes of the existing U zone in which the site is located.

- EVIDENCE**
- a) The Unclassified or U Zone is intended to be applied to areas of the County in which general agriculture uses is a desirable use.
  - b) All general agricultural uses are principally permitted in the U zone.
  - c) Humboldt County Code section 314-55.4.8.2.2 allows cultivation of up to 43,560 square feet of existing outdoor cannabis and up to 22,000 sq. ft. of existing mixed-light cannabis on a parcel zoned U 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 11,762 ft<sup>2</sup> of outdoor cultivation on a 61.19-acre parcel is consistent with this and with the cultivation area verification prepared by the County.

**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 U (HCC 314-55.4.8.2.2).
  - b) The subject parcel has been determined to be a legal parcel created by deed recorded in 1953, Book 17, Pages 51 – 52 of Deeds Records of Humboldt County, California.
  - c) The project will obtain water from three onsite ponds. , two of which are on stream. The applicant has obtained A final Lake and Streambed Alteration Agreement (LSAA) was executed with the California Department of Fish and Wildlife on February 26, 2018 (No. 1600-2017-0559-R1). Nine (9) encroachments were to be mitigated on the project parcel. The LSAA for the project is over five (5) years old and has expired. The applicant shall renew the LSAA with CDFW and all mitigation measures shall be executed to the satisfaction of CDFW as a condition of project approval. The applicant shall consent to forebear from diversionary ponds during the period from May 15th to October 31st of each year and establish on-site water storage for retention of wet season flows sufficient to provide adequate irrigation water for the size of the area to be cultivated as a condition of project approval. The applicant must also amend the cultivation and operations plan as well as the site plan to account for the additional water storage and methods that will be employed for irrigation need during the forbearance period upon project approval before cultivation operations commence.
  - d) Access to the project site is by way of a County-maintained Road, Bliss Lane. The project was referred to the Department of Public Works on January 9, 2023, and comments were received by the agency on July 2, 2019. Comments from Public Works stated that the County Road that has gravel at the location of the access road shall be rocked for a minimum width of 20 feet where it intersects the County Road. The operations are pre-existing, and no increase in traffic is anticipated.
  - e) The location of the cultivation complies with all setbacks required in Section 314-55.4.11.d. It is more than 30 from any property line, and more than 600 feet from any school, school bus stop, church or other place of religious worship, Public Park or Tribal Cultural Resource.

**6. FINDING**

The cultivation of 11,762 ft<sup>2</sup> square feet of 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 in a rural part of the County where the typical parcel size is over 40 acres and many of the land holdings are very large. The proposed cannabis will not be in a location where there is an established neighborhood or other sensitive receptor such as a school, church, park or other use which may be sensitive to cannabis cultivation. Approving cultivation on this site and the other sites which have been approved or are in the application process will not change the character of the area due to the large parcel sized in the area.
- b) The project obtains water from three (3) man-made ponds. The ponds include two (2) lined instream ponds that capture water from two (2) unnamed class III tributaries to Jewett Creek and a third rainwater catchment pond. The applicant has obtained a final Streambed Alteration Agreement with the California Department of Fish & Wildlife for the in-stream work needed to Nine (9) encroachments were to be mitigated on the project parcel (LSAA No. 1600-2017-0559-R1). The applicant shall adhere to the project description and work outlined within the LSAA and renew the expired LSAA with CDFW.
- c) The parcel is located in an area known to have a High Fire Hazard Severity, and is within the Palo Verde Volunteer Fire Response Area for local fire response. The parcel is also located within the State Responsibility Area (SRA) where Cal Fire is the primary emergency response agency responsible for fire suppression and prevention. The project was referred to Cal Fire on July 7, 2019. CalFire responded to the referral on July 17, 2019, and stated that they had no comments regarding the project at that time. As a condition of approval, the applicant shall submit a revised site plan showing an emergency vehicle turnaround, and the applicant is required to have a minimum of 2,500 gallons of water storage specifically designated for fire suppression. The designated fire suppression tank shall also have the appropriate fire hose that meets CalFire SRA requirements.
- d) Access to the project site is by way of a County-maintained Road,

Bliss Lane. The project was referred to the Department of Public Works on January 9, 2023, and comments were received by the agency on July 2, 2019. Comments from Public Works stated that the County Road that has gravel at the location of the access road shall be rocked for a minimum width of 20 feet were it intersects the County Road. The operations are pre-existing, and no increase in traffic is anticipated.

**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 Middle Main Eel Planning Watershed is capped at 125 acres or 360 permits, whichever is first. Wit the approval of this commercial cannabis cultivation permit, the total number of approved projects within the Middle Maine Eel Planning Watershed would be 116 and total acreage would be 42.17 acres.

## 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 Ram Ram Bliss 2, LLC, based upon the Findings and Evidence and subject to the conditions of approval attached hereto as Attachment 1 and incorporated herein by reference; and

Adopted after review and consideration of all the evidence on **September 21, 2023**

The motion was made by COMMISSIONER Thomas Mulder and second by COMMISSIONER Brian Mitchell and the following ROLL CALL vote:

AYES: COMMISSIONERS: Iver Skavdal, Noah Levy, Lonyx Landry, Thomas Mulder, Peggy O'Neill, Brian Mitchell, Sarah West

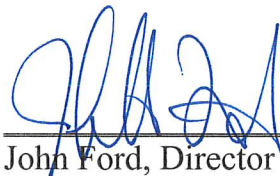
NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

DECISION: Motion carries 7/0

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



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John Ford, Director  
Planning and Building Department

## ATTACHMENT 1A

### Conditions of Approval

#### **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 30 days of project approval, the applicant shall remove all infrastructure and debris from the stream channel and Streamside Management Area.
2. 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 A7 through A14. 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.
3. Within 60 days of the effective date of project approval, the permittee shall execute and file with the Planning Division the statement titled, "Notice and Acknowledgment regarding Agricultural Activities in Humboldt County," ("Right to Farm" ordinance) as required by the HCC and available at the Planning and Building Department.
4. Within 60 days of the effective date of project approval, the permittee shall obtain a will serve letter from the Fire Protection 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. Within six months of the effective date project approval, permittee shall demonstrate enrollment in the current State Water Board Order and provide a copy of the Notice of Applicability and a Site Management Plan.
6. No later than January 1, 2026, the permittee will develop and fully implement an alternative renewable energy (i.e., solar, wind, micro-hydro) plan for electricity serving the cannabis operation such that generator use may be reserved for emergency use only.

7. The historic, decommissioned cultivation area shall be restored. The applicant shall have a restoration plan developed by a qualified professional that includes a native grass seed mix for erosion control as well as a three-year monitoring period once the restoration is implemented. The plantings must meet an 85% survival rate at the end of the three-year monitoring period. If the survival rate criteria are not met, additional plantings must occur, and an additional three-year monitoring period will be required.
8. The applicant, prior to commencement of commercial cannabis operations, shall submit a revised site plan clearly showing the following:
  - a. an emergency vehicle turnaround
  - b. an additional water storage tank of no less than 2,500 gallon that is dedicated for fire suppression.
  - c. a floor plan within the building being utilized for ancillary nursery space that clearly show the allowable 1,176 square feet partition.
9. The applicant shall remediate/clean-up/restore items 1-3, 5, 7, and 10, as specified in the Water Resource Protection Plan prepared by Timberland Resource Consultants January, 23,2018.
10. The applicant shall complete all work and submit reporting to CDFW and renew their Lake and Streamside Alteration Agreement (LSAA), as it expired February 26, 2023. The applicant shall renew the LSAA, and all mitigation measures specified within shall be executed to the satisfaction of CDFW.
11. Where surface water diversion provides any part of the water supply for irrigation of cannabis cultivation, the applicant shall consent to forebear from any such diversion during the period from May 15th to October 31st of each year and establish on-site water storage for retention of wet season flows sufficient to provide adequate irrigation water for the size of the area to be cultivated. The applicant shall amend the operations plan and site plan prior to the commencement of cultivation activities upon project approval.
12. Per the Public Works referral comments, the applicant shall obtain an encroachment permit from the Department of Public Work Land Use Division to rock the driveway where it intersects the County road for a minimum of 20 feet.
13. The permittee shall obtain grading permits for all existing, unpermitted grading associated with the cannabis operation. This includes is not limited to grading for cultivation areas, roads, and the pond. No new grading is authorized.
14. The permittee shall obtain permits or exemptions for all structures associated with the cannabis operation.



15. The permittee shall not deviate from the activities and uses described in the approved operations plan and site plan without prior approval from the Planning and Building Department.

## **B. General Conditions**

1. There shall be no interconnectivity between cannabis irrigation water infrastructure (e.g., water lines, tanks, etc.) and any other water source.
2. Cultivation activities will be supported by portable toilets. The permittee may install a permitted septic system in association with a permitted structure (e.g. processing building) to provide wastewater services to cultivation employees.
3. Processing in the form of trimming and/or packaging will occur offsite at a licensed facility until a building is permitted allowing F-1 commercial occupancy and has a permitted septic system.
4. Any water lines crossing stream channels must stay out of stream channels and be elevated when crossing and cross at a perpendicular angle.
5. 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.
6. 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.
7. 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.
8. The applicant is required to pay for permit processing on a time and material basis as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors. The Planning and Building Department will provide a bill to the applicant after the decision. 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.
9. 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.

10. The applicant shall install and utilize a water meter on all irrigation sources to demonstrate that there is sufficient water supply to meet the demands of the project. The water use for cultivation is limited to the use of the irrigation infrastructure described in the Operations Plan. The applicant will maintain logs of water usage and make the logs available upon request.

**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 (LPS) light or low spectrum light emitting diodes with a color temperature of 3000 kelvins or less and 3) only placed where needed.

4. Should the Humboldt County Planning Division receive complaints that lighting or noise is not complying with the standards listed above in this permit, within ten (10) working days of receiving written notification that a complaint has been filed, the applicant shall submit written verification that the light shielding and alignment, and noise levels have been repaired, inspected, and corrected as necessary.
5. The use of monofilament netting for all uses, including but not limited for erosion control, shall be prohibited. Geotextiles, fiber rolls, and other erosion control measure materials shall be made of loose-weave mesh, such as jute, hemp, coconut (coir) fiber, or other products without welded weaves to minimize the risk of ensnaring and strangling wildlife.
6. All refuse shall be contained in wildlife proof containers, always, and relocated to an authorized waste management facility, in compliance with State and local laws, on a regular and on-going basis.
7. Should any wildlife be encountered during work activities, the wildlife shall not be disturbed and be allowed to leave the work site unharmed.
8. The use of anticoagulant rodenticide is prohibited.
9. The operator shall provide information to all employees about the potential health impacts of cannabis use on children. Information shall be provided by posting the brochures from the Department of Health and Human Services titled "Cannabis Palm Card" and "Cannabis Rack Card." This information shall also be provided to all employees as part of the employee orientation.
10. All components of the project shall be developed, operated, and maintained in conformance with the Project Description, the approved Site Plan, the Plan of Operations, the CMMLUO, and these conditions of approval.
11. If operating pursuant to a written approved compliance agreement, permittee shall abate or cure violations at the earliest feasible date, but in no event no more than two (2) years from the date of issuance of a provisional clearance or permit. Permittee shall provide plans for curing such violations to the Planning and Building

Department within one (1) year of issuance of the provisional clearance or permit. If good faith effort toward compliance can be shown within the two years following the issuance of the provisional clearance or permit, the Department may, at the discretion of the Director, provide for extensions of the provisional permit to allow additional time to meet the outstanding requirements.

12. Compliance with all statutes, regulations, and requirements of the California State Water Resources Control Board and the Division of Water Rights, at a minimum to include a statement of diversion of surface water from a stream, river, underground stream, or other watercourse required by Water Code Section 5101, or other applicable permit, license, or registration, as applicable.
13. Confinement of the area of cannabis cultivation, processing, manufacture, or distribution to the locations depicted on the approved site plan. The commercial cannabis activity shall be set back at least 30 feet from any property line, and 600 feet from any school, school bus stop, church or other place of religious worship, or tribal cultural resources, except where a reduction to this setback has been approved pursuant to Section 55.4.11(d).
14. Applicant must adhere to and implement the Site Management Plan. A copy of the reporting form portion of the Mitigation and Reporting Program (MRP) shall be submitted to the Planning and Building Department upon request.
15. Applicant must demonstrate and maintain enrollment in Tier 1 or 2 in accordance with State Water Resources Control Board Order No. WQ 2019-0001-DWQ, or any substantially equivalent rule that may be subsequently adopted by the County of Humboldt or other responsible agency.
16. Comply with the terms of any applicable Lake and Stream Alteration (1600 or 1602) Permit 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 log books 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. Per Section 1273.03 of State Fire Safe Regulations: (a) At no point shall the grade for all roads and driveways exceed 16 percent; (b) The grade may exceed 16%, not to exceed 20%, with approval from the County of Humboldt Planning & Building Department with mitigations, such as paving, to provide for the same practical effect.

**Andre Ducharme**  
**RAM RAM BLISS 2, LLC**  
**Cultivation and Operations Plan**  
**Light Dep/Outdoor**  
**11,762 Sq. Ft. of Cultivation**  
**APN: 216-094-009**



**Description of water source, storage, irrigation plan, and projected water usage:**

There is a total of 392,000 gallons of storage in three ponds that serve as rainwater catchment vessels. Rainwater that is caught and stored in the ponds is used to fill a number of tanks and bladders. Refer to the following table for specifics:

Number	Type	Gallons each	Total gallons
1	Pond	162,000	162,000
1	Pond	140,000	140,000
1	Pond	90,000	90,000
2	Water bladders	20,000/20,000/15,000	55,000
1	Metal tank	24,000	24,000
7	Tanks	3,000	21,000
2	Tanks	5,000	10,000
3	Tank	1,000/500	2,500
3	Tanks	300	900
		<b>Total Water Storage</b>	<b>505,400</b>

Water for cultivation is applied with a drip irrigation system. Projected use for each of the four light deprivation sites. Two sites require 3,000 gallons per week each. Two sites require 1,500 gallons per week each. Total projected use at these sites is 9,000 gallons per week or 162,000 gallons per 18-week growing season. Projected use for the proposed full-term outdoor garden is 5,000 gallons per week or 90,000 gallons per 18-week growing season. In 2016, a permitted well was installed on the property.

Total projected use for all garden sites is 252,000 gallons for the 18-week season, maybe even a bit more. This estimate is based on historical usage. Timberland Resource Consultants prepared my WRPP, which should have a more exact picture of water systems on the property.

**Description of site drainage, including runoff and erosion control measures:**

The cultivation sites are flat and the gardens are watered with drip irrigation. The hoop-houses and greenhouse sites have raised beds, and the full term plants would be in Smart Pots. The water application rate is monitored and adjusted to account for climate conditions in order to prevent over or under watering. There is no runoff at any of the cultivation sites.

**Detail of measures taken to ensure protection of watershed and nearby habitat:**

The cultivation sites are over 150 yards from the one blue line creek on the property. Rainwater is caught off the road, and stored in ponds, and water is applied conservatively to the garden sites to prevent runoff. All organic supplements and nutrients are applied at or below the manufacturer's recommended rates.

The cultivation sites are fenced to prevent wildlife access. All cultivation-related waste is stored in trashcans in a contained area so waste cannot blow away or come in contact with the ground. The generators used for cultivation sit on pallets and gas is stored in a 250 gallon tank in a contained box; same thing with the diesel fuel. The Shop has a permitted septic with leach lines. There is also an outside composting toilet near the shop. The House has a permitted septic as well. The shop is also a propagation/holding area for the babies before replanting.

**Protocols for proper storage and use of fertilizers, pesticides and other regulated products utilized:**

Organic supplements and nutrients are stored in a secure 16'x20' building with a concrete floor. Nutrients are mixed in that building and then transported to the garden sites in 5-gallon pails with secure lids. Nutrients are applied conservatively and according to manufacturer guidelines.

**Description of cultivation activities:**

There is one hoop-house site that has five mini-hoop houses. The other three are greenhouse sites. Each of these sites use light deprivation cultivation, approximately 2 runs per season. *There is also one proposed full-term outdoor garden.*

**Processing plan:**

Plant material is harvested and hang dried in the shop, which is a secure 24'x44' wooden structure with locking doors. Shop was built in 2011. The drying space is cleaned and sanitized between each round of drying. Plant material is checked for contaminants throughout the growing, harvest and drying processes. Any contaminated material is removed immediately and composted well away from the garden and drying sites. *Plant material is processed on-site with a machine.*

**Light Deprivation cultivation is proposed: Identify the number of cultivation cycles:**

Two cultivation cycles per season are proposed at the hoop-house site and at the three greenhouse sites.

**Schedule of activities during each month of the growing and harvesting seasons:**

**March:** Site prep includes amending reused soil and covering beds.

**April:** Plant the light-dep beds and start covering after two weeks.

**May:** Leaf, support and amend plants at light-dep sites.

**June:** Full-season plants go out.

**July:** Harvest first light-dep run first of the season; re-plant greenhouses and hoop houses; start covering by the end of July.

**August:** Leaf, support and amend plants at all sites; stop covering light-dep sites around the 15th.

**September:** Harvest light-dep sites toward the end of September.

**October:** Harvest full-term plants.

**Overwinter:** Plant cover crop in garden beds.

**Projected generator use:**

There is generator/solar power use for about 20-24 hours a day for 2-3 weeks at the beginning of April to supplementally light the hoop houses and greenhouses. There is generator use for about an hour every three days throughout the season to power portable pumps that are used to feed and water.

COMPOSTING TOILET OUTSIDE OF THE SHOP

**No Employee's will be needed at this time.**

**Security plan:**

The parcel is accessible via a single road with two locked metal gates, a gate as soon as you leave the county road and another gate at the property line. The location is remote and the terrain is hilly and forested, restricting vehicular access to that single road. The path to the gardens is blocked with a locked gate. All buildings on the property lock and are secure, and all cannabis is stored in a secure, undisclosed location.

Visitors are accepted by appointment only, and regular communication is maintained with neighbors. Someone is present on the parcel at all times during the growing season, and there

are two dogs that alert to visitors. Defensible space is maintained around all structures, and the ponds are kept full for defense in the event of fire.



**Ram Ram Bliss 2, LLC App #12987**

We have added more water tanks: 21 tanks x 5000 gal each, 3 tanks x 10,000. On the place of the bladders (2 blue squares, close to pond 1 as per the map attached). Plan is to add more if we can do it financially so we can catch more rain and be able to keep it for the cultivation season.


















We asked for permission to relocate Cultivation area #3 and Cultivation area #1 and to move them next to Cultivation area #4. There are several reasons for that:

Location of Area 4 is superior as it is sunnier and easier to access. Roads to this area are less steep and will be easier to maintain throughout time not causing erosion. Being sunnier will decrease use of lights and/or eliminate them all together. It will be beneficial to combine Area 3 and 1 into 4 as being concentrated will make it easier to serve from a manpower standpoint. We are a small family farm and unfortunately cannot afford hiring people to run around between the different hoops. With state and county requirements we do not spend our time only caring for plants anymore but also for administrative work (Metric for example, which is very time consuming). There is enough space in Area 4 that will not require grading or continued maintenance of the steep road toward area 3. Water system is already in place and there will be less chance for any water leaks and loss of the precious water while serving different areas that are scattered around. Our goal at the end is to create a cannabis farm that can use minimum resources.

**APPROVED**  
 SEP 21 2023  
 Humboldt County  
 PLANNING

## Site Plan

**APN 216-094-009**

-  Property Boundary
-  Historic Cultivation
-  Current Cultivation
-  Structure
-  Rain Catchment Pond
-  Riparian Setback
-  On-stream Pond
-  Groundwater Well
-  Class II Watercourse
-  Class III Watercourse
-  Permanent Road
-  Seasonal Road
-  Watercourse Crossing
-  Generator
-  Groundwater Well
-  Water Tank
-  Property Entrance/Exit

**Project Information:**  
 Parcel Size: 61 acres  
 APN(s): 216-094-009  
 APPS #: 12987  
 Zoning: RR  
 Cultivation Area: 11,762 SqFt

**Directions:** 1285 Bliss Lane  
 For planning purposes only.

This is not a boundary survey.

No schools, school bus stops, places of worship or tribal cultural resources are located within 600 feet of Cultivation Areas.

Map Scale 1" = 260'

