

**RESOLUTION OF THE ZONING ADMINISTRATOR
OF THE COUNTY OF HUMBOLDT**

Resolution Number 24-025

Record Number PLN-11889-SP

Assessor's Parcel Number: 210-250-020-000

Resolution by the Zoning Administrator of the County of Humboldt certifying compliance with the California Environmental Quality Act and conditionally approving the Larabee Farm, LLC Special Permit.

WHEREAS, Larabee Farm, LLC submitted an application and evidence in support of approving a Special Permit for 9,460 square feet of existing mixed light commercial cannabis cultivation. The ancillary nursery area totals 900 square feet; 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 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; and

WHEREAS, the Humboldt County Zoning Administrator held a duly-noticed public hearing on July 18, 2024, and reviewed, considered, and discussed the application for the Special Permits and reviewed and considered all evidence and testimony presented at the hearing.

Now, THEREFORE BE IT RESOLVED, that the Zoning Administrator makes all the following findings:

- 1. FINDING:** **Project Description:** A Special Permit for 9,460 square feet of existing mixed light commercial cannabis cultivation. The ancillary nursery area totals 900 square feet. There will be up to three (3) flowering cycles per year. permitted groundwater well (permit# 01/02-921). There is currently 66,600-gallons of in hard plastic tanks. Annual water use for irrigation is 110,000 gallons (11 gallons per square foot). Processing occurs on site. Power is supplied by PG&E. A back-up generator is on site in the event of an emergency. Two (2) employee are proposed.

EVIDENCE: Project File: PLN-11889-SP

2. FINDING: **CEQA.** The requirements of the California Environmental Quality Act have been complied with. The Humboldt County Zoning Administrator has considered 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, and the addendum to the MND prepared for the project.

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 will source water from rain catchment.
- d) The applicant has submitted a copy of a Lake or Streambed Alteration Agreement (LSAA) (No. 1600-2017-0703-R1) (Attachment 4B) that describes four encroachments. The four proposed encroachments are to upgrade undersized culverts and improve an onstream pond spillway. Work for these encroachments will include excavation, removal of the failing culverts, replacement with new properly sized culverts, backfilling and compaction of fill, and rock armoring as necessary to minimize erosion. The project was referred to CDFW on September 9, 2017. On September 6, 2023, CDFW commented on the project and informed the County that the applicant was in violation of the LSAA. The recommended conditions to be met for approval include that the applicant complete the requirements of the LSAA as well as as well as forbear from use of the well during the yearly forbearance period until the applicant is able to have an assessment completed that determines the well is not hydrologically connected to nearby surface waters. These conditions are included in Attachment 1A and can be referenced in Attachment 5.
- e) A Site Management Plan (SMP) was prepared for the project by Elevated Solutions, LLC (WDID 1_12CC412048) and the applicant shall implement all corrective actions and recommendations described in Attachment 1A.

- f) According to the California Natural Diversity Database (CNDDDB), there is no mapped potential habitat for any special status species nearby or on the parcel. The project is located approximately 1.63 miles to the nearest Northern Spotted Owl (NSO) activity center. The project is for existing mixed light-cannabis cultivation that includes ensuring supplemental lighting and security lighting adheres to Dark Sky Association standards and ensuring project related noise does not harass nearby wildlife which will limit impacts to biological resources because of light and noise, water will be sourced from the well with comply with the yearly forbearance period until such time an assessment is provided that the well is not hydrologically connected. The project is conditioned that the combination of background, generator and greenhouse fan or other operational equipment created noise does not exceed 50 decibels at 100 feet from the emergency-only generator or at the nearest tree line, whichever is closer. CDFW responded to the County's referral on September 6, 2023 and the conditions specified are included in Attachment 1A and can be referenced in Attachment 5.
- g) The project is located within the Bear River Band of the Rohnerville Rancheria aboriginal ancestral territories. The project was referred to the Northwest Information Center (NWIC), the Bear River Band, and the Intertribal Sinkyone Wilderness Council. NWIC replied recommending that the local Native American tribes be contacted regarding traditional, cultural, and religious heritage values. The Bear River Band THPO replied on February 27, 2018, stating that the project would require a Cultural Resource Study (CRS). A CRS was completed for the project parcel in April of 2019 by William Rich and Associates. Bear River then recommend inadvertent archaeological discovery protocols for the project. This has been added as a condition of approval (Attachment 1A).
- h) Access to the site is via Highway 36, which is a State-maintained road. Approximately 33 miles east of Highway 101 is Larabee Valley Road on the left, which is a private Road. The applicant has submitted a Road Evaluation Report from Six Rivers Construction & Consulting May 1, 2023 (Attachment 4C). The report found that Larabee Valley Road were developed to Road Category 4 standards with the corrective recommendations completed. Per the Department of Public Works, turnouts along the entire length shall be maintained for safety, visibility requirements and emergency access. These recommendations are included as ongoing

conditions of project approval. As the project will be run solely by the applicant and two (2) employees, it is determined that the project would not result in a significant increase in traffic, and it has been determined that the access road (with the implementation of the recommended improvements and maintenance) meets the functional capacity for the project's needs.

FINDINGS FOR SPECIAL PERMITS

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 Agricultural Exclusive (AE).
 - b) The proposed project is located within an Open Space Action Program because the project site is within an area of high instability (see hazards discussion below). General agriculture is a use type principally permitted in the Agricultural Exclusive (AE) zoning district. General agriculture is also a permitted use in the 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. Therefore, the project is consistent with and complimentary to the Open Space Plan and its Open Space Action Program.
 - c) The subject parcel is located in an area of high geologic instability, but it is not located within an Alquist-Priolo Fault Hazard Zone. The subject parcel is not located within in any flood zone or is susceptible to dam failure inundation. The subject parcel is located within a very high fire hazard severity zone within the State Responsibility Area for fire protection. The parcel is also within the Bridgeville Fire Protection District (BFPD) response area. The BFPD responds to structural fires and medical emergencies. There is a 5,000-gallon dedicated fire suppression tank and associated SRA turnaround on the parcel. No new structures are proposed. No increased threats to hazards are anticipated as a result of the project.

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

- EVIDENCE:**
- a) The Agricultural Exclusive (AE) 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 AE zone.
 - c) The project meets the minimum yard setbacks, minimum distances between major buildings, and maximum ground coverage requirements of the zone.
 - d) Humboldt County Code section 314-55.4.8.2.2 allows cultivation of up to 10,000 square feet of existing outdoor cannabis cultivation on a parcel zoned AE over 1 acre subject to approval of a Special Permit. The application is for 8,102 square feet of pre-existing outdoor cultivation on a 46.9-acre parcel.
 - e) Four encroachments are to be remediated or decommissioned on Class II and III streams. Work for these encroachments will include excavation, removal of the failing culverts, shaping of the impacted channels, and rock armoring as necessary to minimize erosion. The work within the SMAs may be conducted in accordance with the LSAA and pursuant to Section 314- 61.1.7.6.3 H.C.C. with the Special Permit that is being requested.

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

- EVIDENCE:**
- a) The CMMLUO allows existing outdoor 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 one legal parcel (Lot 1) as shown on Parcel Map 14 recorded in Book 2 of Parcel Maps page 20.
 - c) The applicant will source water from a permitted well.
 - d) Access to the site is via Highway 36, which is a State-maintained road. Approximately 33 miles east of Highway 101 is Larabee Valley Road on the left, which is a private Road. The applicant has submitted a Road Evaluation Report from Six Rivers Construction & Consulting May 1, 2023 (Attachment 4C). The report found that Larabee Valley Road were developed to Road Category 4 standards

with the corrective recommendations completed. Per the Department of Public Works, turnouts along the entire length shall be maintained for safety, visibility requirements and emergency access. These recommendations are included as ongoing conditions of project approval. As the project will be run solely by the applicant and two (2) employee, it is determined that the project would not result in a significant increase in traffic, and it has been determined that the access road (with the implementation of the recommended improvements and maintenance) meets the functional capacity for the project's needs.

- e) 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, school bus stop, church or other place of religious worship, or Tribal Cultural Resource.
- f) Electricity is sourced from PG&E with an emergency generator. The project is conditioned that noise from the generator does not exceed 50 decibels at 100 feet from the generator or at the nearest tree line, whichever is closer.

6. FINDING: The cultivation of 9,460 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 not in a location where there is an established neighborhood or other sensitive receptor such as a school, church, park, or other use which may be sensitive to cannabis cultivation. Approving cultivation on this site will not change the existing character of the area due to the numerous other permitted cultivation operations nearby.
 - b) The applicant will source water from a permitted well.
 - c) The subject parcel is located in an area of high geologic instability, but it is not located within an Alquist-Priolo Fault Hazard Zone. The subject parcel is not located within in any flood zone or is susceptible to dam failure inundation. The subject parcel is located within a very high fire hazard severity zone within the State Responsibility Area for fire protection. The parcel is also within the Bridgeville Fire Protection District (BFPD) response area. The BFPD responds to structural fires and medical emergencies. There is a

5,000-gallon dedicated fire suppression tank and associated SRA turnaround on the parcel. No new structures are proposed. No increased threats to hazards are anticipated as a result of the project.

- d) Access to the site is via Highway 36, which is a State-maintained road. Approximately 33 miles east of Highway 101 is Larabee Valley Road on the left, which is a private Road. The applicant has submitted a Road Evaluation Report from Six Rivers Construction & Consulting May 1, 2023 (Attachment 4C). The report found that Larabee Valley Road was developed to Road Category 4 standards with the corrective recommendations completed. Per the Department of Public Works, turnouts along the entire length shall be maintained for safety, visibility requirements and emergency access. These recommendations are included as ongoing conditions of project approval. As the project will be run solely by the applicant and two (2) employees, it is determined that the project would not result in a significant increase in traffic, and it has been determined that the access road (with the implementation of the recommended improvements and maintenance) meets the functional capacity for the project's needs.

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.

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 located in the Impacted HUC-12 Butte Creek Sub watershed in the Van Duzen Planning Watershed, which under Resolution 18-43 is limited to 425 cultivation permits and 146 acres of cultivation. With the approval of this project the total approved cultivation permits in this Planning Watershed would be 216 167 permits and the total approved acres would be 44.5 acres of cultivation.

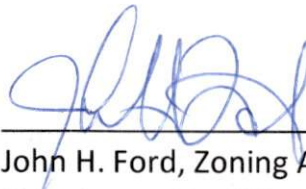
DECISION

NOW, THEREFORE, based on the above findings and evidence, the Humboldt County Zoning Administrator does hereby:

- Adopt the findings set forth in this resolution; and
- Conditionally approves the Special Permit for Larabee Farm, LLC subject to the conditions of approval attached hereto as Attachment 1A.

Adopted after review and consideration of all the evidence on **July 18, 2024.**

I, John Ford, Zoning Administrator 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 Zoning Administrator at a meeting held on the date noted above.



John H. Ford, Zoning Administrator,
Planning and Building Department

CONDITIONS OF APPROVAL

APPROVAL OF THE SPECIAL PERMITS ARE CONDITIONED ON THE FOLLOWING TERMS AND REQUIREMENTS WHICH MUST BE SATISFIED BEFORE THE PROVISIONAL CANNABIS CULTIVATION PERMIT CAN BE FINALIZED.

A. General Conditions

1. 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.
2. The applicant is required to pay for permit processing on a time and material basis as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors. The Planning and Building Department will provide a bill to the applicant after the decision. Any and all outstanding planning fees to cover the processing of the application to decision by the Hearing Officer shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka.
3. 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.
4. A Notice of Determination (NOD) will be prepared and filed with the County Clerk for this project in accordance with the State CEQA Guidelines. The Department will file the NOD and will charge this cost to the project.
5. Within 60 days of the effective date of permit approval, the applicant shall submit an energy use plan that describes the power demand for the project that includes a description of what power is required for (e.g., cultivation, and drying) and how much power is required on a monthly and annual basis. The energy plan shall also include a description of the generator(s) used to meet the power demand and state how the size of the generator is reasonable based on the power demand. The generator(s) used to support operations shall not be larger than required to meet operational needs. The plan shall also describe how the operation will transition to use of 100% renewable energy (e.g., solar, wind, and/or hydropower) sources by the end of 2026 with a generator to

be used for emergencies only.

6. Within 60 days of the effective date of permit approval, the applicant shall execute a Compliance Agreement with the Humboldt County Planning and Building Department detailing all necessary permits and infrastructure improvements described under Conditions of Approval #7 through #13. The agreement shall provide a timeline for completing all outstanding items. All activities detailed under the agreement must be completed to the satisfaction of the Planning and Building Department before the permit may be finalized and no longer considered provisional.
7. The applicant shall secure permits for all structures and grading related to the cannabis cultivation and other commercial cannabis activity, including the three cannabis cultivation greenhouses and associated grading, the 160 square-foot fuel storage shed, the two solar panels, and the two 160 square-foot storage containers used for drying, harvest storage, and processing. The plans submitted for building permit approval shall be consistent with the project description and the approved project site plan.
8. The applicant shall complete the requirements of the Streambed Alteration Agreement (Notification No. 1600-2017-0704-R1) issued by California Department of Fish and Wildlife (CDFW) and the **encroachment work specified in the LSAA be completed no later than October 15, 2024**. The applicant shall be **limited to the forbearance period outlined by the State Waterboard, which allows use of the hydrologically connected well from November 1st to March 31 of any year, unless it is determined by a licensed hydrologist that the well is not connected to surface waters**. The applicant shall notify CDFW for the required projects and submit all required reporting to CDFW at 619 Second Street, Eureka, CA 95501.
9. The applicant shall implement all corrective actions and recommendations described in the Site Management Plan (WDID# 1_12CC412048) prepared by Elevated Solutions, LLC in November 2019, pursuant to the State Water Board Cannabis General Order for Waste Discharge. The applicant shall submit a letter or similar communication from a qualified professional (e.g., civil engineer or Registered Professional Forester) that the improvements were completed as recommended in the SMP.
10. The applicant is required to adhere to and implement the requirements contained in the SWRCB's Cannabis Cultivation Policy, the General Order, the Site Management Plan, and the Notice of Applicability. A copy of the reporting form portion of the Mitigation and Reporting Program (MRP) shall be submitted annually to the Planning and Building Department concurrent with the submittal to the SWRCB.
11. The applicant shall install water use meter(s) to measure the amount of water used for

the cultivation and annual metering reports shall be available during yearly compliance inspections.

12. The applicant shall adhere to and implement the recommendations included in the Road Evaluation Report prepared by Six Rivers Construction & Consulting May 1, 2018.
13. All unused water line, infrastructure, and debris from the historic grow sites shall be removed and properly disposed of at a waste management facility.
14. 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 in order to keep the permit valid.
15. The applicant shall execute and file with the Planning Division the statement titled, "Notice and Acknowledgment regarding Agricultural Activities in Humboldt County," ("Right to Farm" ordinance) as required by the HCC and available at the Planning Division.

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

1. The combination of background, generator and greenhouse fan or other operational equipment created noise must not result in the harassment of Northern Spotted Owl species as required to meet the performance standards for noise set by Department Policy Statement No. 16-005 clarifying CMMLUO Section 55.4.11 (o) requirements. The combined noise levels measured at 100 feet or the edge of habitat, whichever is closer, shall be at or below 50 decibels. Conformance will be evaluated using current auditory disturbance guidance prepared by the United State Fish and Wildlife Service, and further consultation where necessary. A building permit shall be obtained should any structures be necessary for noise attenuation.
2. Security lighting shall be motion activated and comply with the International Dark-Sky Association standards and Fixture Seal of Approval Program; see: <https://www.darksky.org/our-work/lighting/lighting-for-citizens/lighting-basics/.v> Standards include but are not limited to the following, 1) light shall be shielded and downward facing, 2) shall consist of Low-Pressure Sodium (LPS) light or low spectrum Light Emitting Diodes (LED) with a color temperature of 3000 kelvins or less and 3) only placed where needed.
3. Should the Humboldt County Planning Division receive complaints that the noise or

lighting is not complying with the standards listed above in items B.1. and B.2., within ten (10) working days of receiving written notification that a complaint has been filed, the applicant shall submit written verification that the lights' shielding and alignment, and noise levels have been repaired, inspected, and corrected as necessary.

4. Prohibition of use of synthetic netting. To minimize the risk of wildlife entrapment, Permittee shall not use any cultivation or erosion control materials that contain synthetic (e.g., plastic or nylon) netting, including photo- or biodegradable plastic netting. Geotextiles, fiber rolls, and other erosion control measures shall be made of loose-weave mesh, such as jute, hemp, coconut (coir) fiber, or other products without welded weaves.
5. All refuse shall be contained in wildlife proof storage containers, at all times, and disposed of at an authorized waste management facility.
6. Should any wildlife be encountered during work activities, the wildlife shall not be disturbed and be allowed to leave the work site unharmed.
7. The use of anticoagulant rodenticide is prohibited.
8. The applicant shall provide portable toilets and handwashing stations for employees. The applicant shall furnish receipts or other documentation during annual inspections for the continual use of portable toilets for employees.
9. The applicant shall maintain all ditch relief culverts on the parcel, including rocking all ditches as necessary to minimize erosion.
10. The applicant shall adhere to and implement the recommendations in the Road Evaluation Report prepared by Six Rivers Construction & Consulting May 1, 2018, and listed below to meet Category 4 Road Standards:
 - Processed, rocked, and compacted to ensure that sediment delivery will not affect the unnamed class III stream.
 - Rolling dips and outsloped shall be installed to guarantee no sediment delivery.
11. The applicant shall maintain water use meter(s) to measure the amount of water used for the cultivation and annual metering reports shall be available during yearly compliance inspections. If the metered use indicates that the yearly water demands are not being met, the applicant shall install the appropriate amount of catchment storage to accommodate the yearly demand.

12. 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.
13. All components of the project shall be developed, operated, and maintained in conformance with the Project Description, the approved Site Plan, the Operations Plan, and these conditions of approval. Changes shall require modification of this permit except where consistent with Humboldt County Code Section 312-11.1, Minor Deviations to Approved Plot Plan.
14. Cannabis cultivation and other commercial cannabis activity shall be conducted in compliance with all laws and regulations as set forth in the CMMLUO and MAUCRSA, as applicable to the permit type.
15. 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.
16. Possession of a current, valid required license, or licenses, issued by any agency of the State of California in accordance with the MAUCRSA, and regulations promulgated thereunder, as soon as such licenses become available.
17. 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.
18. 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).

19. Maintain enrollment in Tier 1, or 2 certifications with State Water Resource Control Board (SWRCB) Order No. WQ 2019-0001-DWQ, if applicable, or any substantially equivalent rule that may be subsequently adopted by the County of Humboldt or other responsible agency.
20. Comply with the terms of the Final Lake and Streambed Alteration Agreement, as well as any subsequent amendments, obtained from the California Department of Fish and Wildlife (CDFW).
21. 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.
22. 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).
23. Refrain from the improper storage or use of any fuels, fertilizer, pesticide, fungicide, rodenticide, or herbicide.
24. Pay all applicable application, review for conformance with conditions and annual inspection fees.
25. Fuel shall be stored and handled in compliance with applicable state and local laws and regulations, including the County of Humboldt's Certified Unified Program Agency (CUPA) program, and in such a way that no spillage occurs.
26. The master logbooks maintained by the applicant to track production and sales shall be maintained for inspection by the County.
27. 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

28. 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."

29. 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).
30. 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.
31. 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; and
 - (2) Employee accident reporting and investigation policies; and
 - (3) Fire prevention; and
 - (4) Hazard communication policies, including maintenance of material safety data sheets (MSDS); and
 - (5) Materials handling policies; and
 - (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; and
 - (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.

32. All cultivators shall comply with the approved processing plan as to the following:
- Processing practices
 - Location where processing will occur
 - Number of employees, if any
 - Employee Safety Practices
 - Toilet and handwashing facilities
 - Plumbing and/or septic system and whether or not the system is capable of handling increased usage
 - Drinking water for employees
 - Plan to minimize impact from increased road use resulting from processing
 - On-site housing, if any
33. Term of Commercial Cannabis Activity Special Permits. Any Commercial Cannabis Cultivation permit issued pursuant to the CMMLUO shall expire one (1) year after date of issuance, and on the anniversary date of such issuance each year thereafter, unless an annual compliance inspection has been conducted and the permittees and the permitted site have been found to comply with all conditions of approval.
34. If the inspector or other County official determines that the permittees or site do not comply with the conditions of approval, the inspector shall serve the permit holder with a written statement identifying the items not in compliance, and the action that the permit holder may take to cure the noncompliance, or file an appeal within ten (10) days of the date that the written statement is delivered to the permit holder. Personal delivery or mailing the written statement to the mailing address listed on the application by regular mail, plus three (3) days after date of mailing, shall constitute delivery. The permit holder may request a reinspection to determine whether or not the permit holder has cured all issues of noncompliance. Failure to request reinspection or to cure any items of noncompliance shall terminate the Special Permits, immediately upon the expiration of any appeal period, or final determination of the appeal if an appeal has been timely filed pursuant to Section 55.4.13.
35. 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.
36. 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.
37. 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; and
- b. A written acknowledgment by the new owner in accordance as required for the initial permit application; and
- c. The specific date on which the transfer is to occur; and
- d. Acknowledgement of full responsibility for complying with the existing permit; and
- e. Execution of an Affidavit of Non-diversion of Medical Cannabis.

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

Informational Notes:

1. Pursuant to Section 314-55.4.11(a) of the CMMLUO, if upon inspection for the initial application, violations of any building or other health, safety, or other state or county statute, ordinance, or regulation are discovered, the Planning and Building Department may issue a provisional clearance or permit with a written approved Compliance Agreement. By signing the agreement, the permittee agrees to abate or cure the violations at the earliest opportunity but in no event more than two (2) years after the date of issuance of the provisional clearance or permit. Plans for curing the violations shall be submitted to the Planning and Building Department by the permittee within one (1) year of the issuance of the provisional certificate or permit. The terms of the compliance agreement may be appealed pursuant to Section 314-55.4.13 of the CMMLUO.
2. This provisional permit approval shall expire and become null and void at the expiration of one (1) year after all appeal periods have lapsed (see "Effective Date"), except where the Compliance Agreement per Condition of Approval #6 has been executed and the corrective actions pursuant to the agreement are being undertaken. Once building permits have been secured and/or the use initiated pursuant to the terms of the agreement, the use is subject to the Permit Duration and Renewal provisions set forth in the Ongoing Requirements/Development Restrictions, above.
3. If cultural resources are encountered during construction activities, the contractor on-site shall cease all work in the immediate area and within a 50-foot buffer of the discovery location. A qualified archaeologist and the appropriate Tribal Historic Preservation Officer(s) are to be contacted to evaluate the discovery and, in consultation

with the applicant and the lead agency, develop a treatment plan in any instance where significant impacts cannot be avoided.

Prehistoric materials may include obsidian or chert flakes, tools, locally darkened midden soils, groundstone artifacts, shellfish or faunal remains, and human burials. If human remains are found, California Health and Safety Code 7050.5 requires that the County Coroner be contacted immediately at 707-445-7242. If the Coroner determines the remains to be Native American, the Native American Heritage Commission will then be contacted by the Coroner to determine appropriate treatment of the remains pursuant to Public Resources Code (PRC) Section 5097.98. Violators shall be prosecuted in accordance with PRC Section 5097.99.



**Cultivation and Operations Manual
For
Larabee Farm, LLC
APN #: 210-250-020
Humboldt County Planning Application # 11889
CDFA Provisional License # CCL18-0003035
WDID# 1_12CC412048**

Lead Agency:

Humboldt County Planning Department
3015 H Street
Eureka, CA 95501



Larabee Farm, LLC
552 Larabee Valley Road
Bridgeville, CA 95526

PROJECT DESCRIPTION

Larabee Farm, LLC is proposing to permit existing medical cannabis cultivation activities in accordance with the County of Humboldt *Commercial Medical Marijuana Land Use Ordinance* (CMMLUO). The project requires a Special Permit (SP) for a total of 9460 SF. The project includes the permitting of pre-existing mixed light cultivation in the following: GH#1 30'x100', GH#2 34'x95', GH#3 34'x95', for a total of 9460 SF. Power is supplied by PG&E. Water for irrigation and domestic use are provided by a permitted well (permit# 01/02-921). Propagation occurs in 900 SF existing 20'x64' (1280SF) Ag Exempt Structure and in a proposed 900 SF outdoor ancillary greenhouse. The two areas will not be operated in conjunction with each other. The 600 SF structure is used for drying, curing, and trimming of cannabis. Processing of cannabis will occur onsite by the applicant with use of a trim machine. There is currently 66,600-gallons of water storage and an additional 40,000-gallons of rain catchment tanks will be added with funds received from the DCC water storage grant. Annual water use is 110,000-gallons or 11-gallons per sf.

SITE DESCRIPTION

To reach the site from Eureka take US-101 south for 19 miles to exit 685 to Hwy 36. Continue on Hwy 36 east for 33 miles. Larabee Farm, LLC is located on the left at 552 Larabee Valley Road Bridgeville CA. Approximate drivetime from Eureka Ca is 1 hour and 15 minutes with a distance of 55 miles. The site is located in section 34, township 3 south, range 1 east, H.D & M can be seen on the quadrangle map. Furthermore, the site is located at Latitude 40.4426 and Longitude, -123.6842. The subject parcel is approximately 18.95 acres in size (per Humboldt County WEBGIS).

LAND USE/ZONING

The subject property has a General Plan designation of Agricultural Grazing and Timber Production (T; AG) as identified by the Humboldt County General Plan and is zoned Agriculture Exclusive and U(unclassified). Land uses surrounding the parcel are comprised of residential, timber and agriculture. The surrounding parcels are zoned Agricultural Exclusive (AE), Timber Production Zone (TPZ), Forest Recreation (FR), and (U) Unclassified.

HUMBOLDT COUNTY BUILDING DEPARTMENT

All necessary building permits will be obtained from the Humboldt County Building Department for all existing and proposed structures and supporting infrastructure upon approval of the Special Permit.

CAL FIRE

The subject property is located within a State Responsibility Area (SRA) for fire protection. Several improvements are proposed in order to meet SRA requirements, including designating a fire turn-around and pull-out area for emergency vehicles, and management of trees and vegetation around existing structures to maintain the required 100-foot defensible space. All structures on the property meet the 30-foot SRA setback requirement from property lines. A 5000- gallon water tank has been installed specifically for fire protection.

CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE

The original 1600 Notification LSA 1600-2017-0903-R1 was filed and approved in 2017. An extension was filed and approved extending the agreement until October 8, 2028. The Culvert and completion of the pond overflow will be completed by October 15, 2024.

WATER SOURCE AND PROJECTED WATER USE

Water for domestic and Agricultural use is provided by the permitted groundwater well (permit# 01/02-921). There is currently 66,600-gallons of hard storage onsite site. The application was awarded an DCC Water Storage Grant and with those funds will purchase and install an additional 40,000-gallons of rain catchment storage. Irrigation water use is between 90,000-110,000-gallons annually depending on weather and strains. Water for both and cannabis are metered separately. Water is stored during the winter months for use during the cultivation season. A well study was completed by Lundberg Geologic Consulting in 2022 and deemed the probability of connectivity is unlikely.

Table 3.1: Estimated Annual Irrigation Water Usage (Gallons)

Jan	Feb	Mar	April	May	June	July	Aug	Sept	Oct	Nov	Dec
0	0	5000	7,000	12,000	20,000	20,000	20,000	15,000	11,000	0	0

WATER STORAGE

There is currently 66,600-gallons of hard storage located on the parcel. (13) 5,000-gallon plastic tanks, (2) 550-gallon and (1) 500-gallon mix tank. One tank is used for domestic storage, and one is used only as a mix tank for nutrients.

WATER QUALITY

Larabee Farm, LLC is enrolled with the North Coast Regional Water Quality Control Board (NCRWQCB) for Tier 2 coverage, and State Order WQ 2017-0023-DWQ. A Water Resources Protection Plan (WRPP) and Site Management Plan (SMP) have been developed utilizing best management practices (BMP's) in accordance with the NCRWQCB's recommendations.

SITE DRAINAGE AND RUNOFF

Cultivation facilities will meet all required setbacks from the nearest water course, providing a sufficient buffer to prevent sediment and nutrient delivery. To further prevent runoff to riparian areas, water conservation and containment measures will be implemented including the use of hand irrigation to prevent excessive water use, and the maintenance of a stable, vegetated buffer between the cultivation area and riparian zone.

EROSION CONTROL

Larabee Farm, LLC will utilize best management practices including but not limited to:

1. Maintenance of roads, including rocking and armoring.
 2. Proper management of solid, liquid and cultivation waste (see section 3.8)
 3. Cultivation facilities and spoil stockpiles will meet all required setbacks from riparian and wetland areas. Soil piles are surrounded with straw fiber rolls and covered during the winter months.
-

4. Irrigation and application of fertilizers will be applied at agronomic rates.
5. Regulated products will be safely stored with secondary containment (see section 3.7)

WATERSHED AND HABITAT PROTECTION

Adherence to the proposed best management practices ensures that the watershed and surrounding habitat are protected. The cultivation activities and associated structures meet all required setbacks from the nearest watercourse, providing a suitable buffer between the cultivation operation and habitat. Additionally, site development and maintenance activities utilize BMP's in accordance with the NCRWQCB's recommendations. Any grading and earthwork activities will be conducted by a licensed contractor in accordance with approved grading permits.

MONITORING AND REPORTING

Monitoring will be conducted to confirm the effectiveness of corrected measures listed in the Water Resource Protection Plan (WRPP) and determine if the site meets all Standard Conditions. Inspections will include photographic documentation of any controllable sediment discharge sites as identified on the site map. Visual inspection will occur at those locations on the site where pollutants or wastes, if uncontained, could be transported into receiving waters, and those locations where runoff from roads or developed areas drains into or towards surface water. The inspection will also document the progress of any plan element subject to a time schedule, or in the process of being implemented. A monitoring plan is included in the WRPP with photo points identified on WRPP map.

Onsite monitoring shall occur:

- Before and after any significant alteration or upgrade to a given stream crossing, road segment, or other controllable sediment discharge site. Inspection should include photographic documentation, with photo records to be kept on site.
- Prior to October 15 and December 15 to evaluate site preparedness for storm events and stormwater runoff.
- Following any rainfall event with an intensity of 3 inches precipitation in 24 hours. Precipitation data can be obtained from the National Weather Service by entering the site zip code at <http://www.srh.noaa.gov/forecast>.

A Monitoring and Reporting Form (Order No. 2015-0023 Appendix C) will be submitted upon initial enrollment in the Order (NOI) and then annually by March 31 to the Regional Water Board. The annual report will include data from the monitoring reports.

ENERGY AND GENERATOR USE

Electricity is provided by PG&E for all cultivation and domestic uses. Use of the on-site generator is used only during power outages and follows all guidelines set up by Humboldt County and the State of California. The generator is located away from the property line and is enclosed in a shed to further control the noise level. The generator is a Whisper Watt DCA36SPXU4F or equivalent, rated for 45 kW. Decibel readings at 100 feet were recorded at 39.7 decibels. The generator and diesel fuel are located within an enclosed structure with secondary containment.

PROCESSING FACILITY

All cannabis processing will occur on-site by the applicant. The existing 660 SF structure is used drying and curing of cannabis of harvested cannabis plants. The dried flowers are then bucked into manageable buds and processed through a trim machine. Processed flower and biomass are stored in the Harvest Storage Area location in the 1280 SF Ag Exempt Structure.

SECURITY PLAN AND HOURS OF OPERATION

The cultivation facilities, including greenhouses and the proposed residence are enclosed in a secure privacy fence. The entry gates always remain locked and access to the cultivation area is limited exclusively to employees. Restricted access signs are posted conspicuously at the entry gates. The cultivation and processing facility area will have low intensity exterior lighting to illuminate the entrances and will include a small number of motion activated security lights. All lighting will be designed and located so that direct rays are confined to the property. Security cameras will be installed at the main access gates and at entrances to the facilities, and the proposed residence will include an alarm system. All above will be powered by PG&E.

HOURS OF OPERATION

Activities associated with cultivation in the greenhouses (watering, transplanting, and harvesting) generally occur during daylight hours. All other activities such as processing typically occur no earlier than 8 AM and extend no later than 5 PM.

FERTILIZER AND PESTICIDE MANAGEMENT

Best Management Practices (BMP's) are employed when storing, handling, mixing, application and disposal of all fertilizers, pesticides, and fungicides. All nutrients, pesticides and fungicides are in a locked storage room, and contained within watertight, locked and labeled containers in accordance with manufactures instruction. Application rates will be tracked and reported with the end of the year monitoring report required in the Water Resources Protection Plan (WRPP). Employees responsible for application are trained to handle, mix, apply or dispose of pesticides/fungicides with proper hand, eye body and respiratory protection in accordance with the manufacturer's recommendations. See the WRPP for complete BMP specifications for the use and storage of regulated products.

FERTILIZERS

Nutrients and biological inoculants used for cultivation include:

- Stutzman's Chicken Manure – 100lbs
- Bat Guano – 100lbs
- Azomite – 100lbs
- Dolomite – 100lbs
- Worm Castings – 100lbs
- Maxsea- 25lbs buckets multi-propose 16-16-16 and Bloom 3-20-20

PESTICIDES AND FUNGICIDES

Pesticides and fungicides used for cultivation include:

- Neem Oil
 - Dr Zyme
 - Pest Out
-

SOLID WASTE MANAGEMENT

Trash and recycling containers are located by each greenhouse and axillary structure. Trash is stored in an enclosed fenced area to prevent animal intrusion. Solid waste and recycling are hauled off-site to Fortuna Transfer Station at least once per week.

CULTIVATION WASTE AND SOIL MANAGEMENT

Cultivation vegetative matter such as root balls, branches, and leaves are composted on site or off hauled to Eel River Resource Recovery. Spent potting soil is stored in the greenhouses. The soil containment contained with fiber rolls and covered during the winter months to prevent any soil erosion or nutrient seepage.

CULTIVATION PLAN

Larabee Farm cultivates (3) mixed light grow cycles per year. Greenhouses are equipped with complete automated greenhouse controllers that regulate climate, lights, and light deprivation tarps.

Cultivation Schedule

January: Site Monitoring and Preparation for planting. Clones are propagated onsite.

February: Clone propagation continues. 1st Cultivation cycle is planted.

March: Clone Propagation continues. Plants in vegetative grow stage.

April: Plants are changed to flower grow stage.

May: Clones are transitioned from indoor propagation area to ancillary nursery. Plants in flowering greenhouses remain in flower.

June: 1st harvest. Replanting of flowering greenhouses with plants from ancillary nursery. Plants are immediately flipped to flower. Clones are propagated for next grow cycle.

July: Clone propagation continues. Plants in flowering greenhouses remain in flower.

August: 2nd harvest. Replanting of flowering greenhouses with plants from ancillary nursery. Plants are immediately flipped to flower.

September: Clone propagation continues. Plants in flowering greenhouses remain in flower.

October: 3rd harvest. Clone inventory is cleared and mothers that will not be used for the following year are discontinued/destroyed.

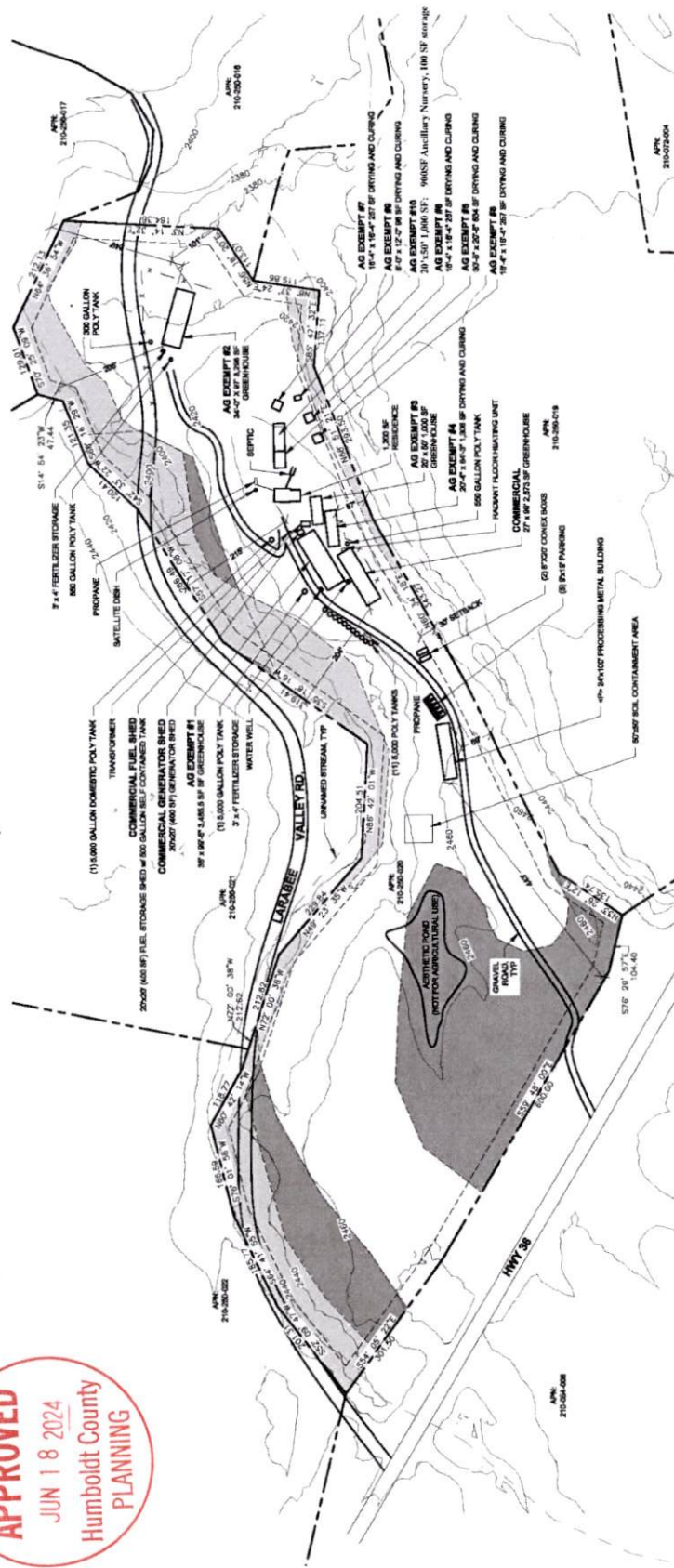
November/December: New Mother Plants arrive onsite and remain in the indoor propagation area for the upcoming season.

[illegible]

LARABEE FARM, LLC
52 LARABEE VALLEY RD.
PLOT PLAN
APN: 210-250-020

DRAWN	JOB
CHECK	NO
APPROVED	SD
DATE	7-11-2020
JOB NUMBER	7-11-2020
SHEET	

GO.1



Sheet List Table	
Sheet Number	Sheet Title
09.1	PLOT PLAN
A1.0	COMMERCIAL GREENHOUSE
C1.0	GRADING PLAN
C2.0	REGIONAL AND NEIGHBORLY CONTEXTUAL ANALYSIS

SITE INFORMATION:

PLAN

1. CONTRACTOR SHALL GROUND ALL AVAILABLE CONDUITS INCLUDING THE 2019 CALIFORNIA RESIDENTIAL CODE, 2019 CALIFORNIA BUILDING CODE, 2019 CALIFORNIA ELECTRICAL CODE, 2019 CALIFORNIA ELECTRICAL CODE, 2019 CALIFORNIA PLUMBING CODE, 2019 CALIFORNIA STANDARD CODE, AND THE 2019 CALIFORNIA FIRE CODE.
2. ALL LOCATIONS ARE APPROXIMATE. NO SURVEY WAS CONDUCTED FOR THIS PROJECT.
3. PROPERTY LINES ARE APPROXIMATE.
4. CONTIGUOUS SHOWN HEREIN ARE FROM NOAA 2018 10' NAD83 BATHYMETRIC DATA.
5. IMAGE SHOWN HEREIN IS FROM Bing.
6. NO TREES WILL BE REMOVED FOR THIS PROJECT.
7. SMA SITE TRACKS FROM MINNEAPOLIS COUNTY GIS WEB PORTAL.

2. ALL LOCATIONS ARE APPROXIMATE. NO SURVEY WAS CONDUCTED FOR THIS PROJECT.

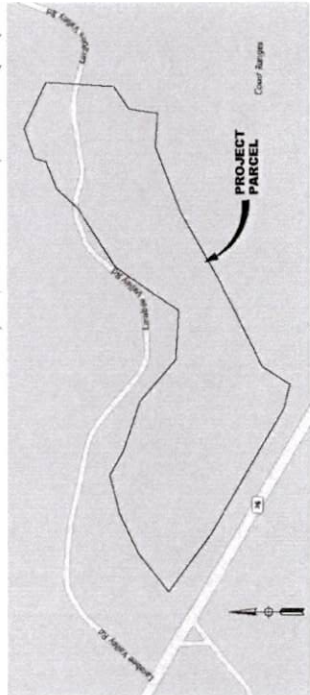
LEGEND:

MANAGEMENT AREA

Cell 5

3. PROPERTY LINES ARE APPROXIMATE.
4. CONTOURS SHOWN HEREON ARE FROM NOAA 2018 2019 WATERSHED SHAPE FILES
5. IMAGE SHOWN HEREON IS FROM Bing.
6. NO TREES WILL BE REMOVED FOR THIS PROJECT.

SMA SETBACKS FROM HUMBOLDT COUNTY
GIS WEB PORTAL



VICINITY MAP
NOT TO SCALE