

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

**Resolution Number: 24-014**

**Record Number: PLN-12603-CUP**

**Assessor's Parcel Number: 208-271-011-000**

**Resolution by the Zoning Administrator of the County of Humboldt certifying compliance with the California Environmental Quality Act and conditionally approves the Ivan Jimenez Special Permit**

**WHEREAS, Ivan Jimenez**, submitted an application and evidence in support of approving a Special Permit for 9,365 square feet of existing outdoor commercial cannabis cultivation. Irrigation water is sourced from an existing permitted on-site well. Total water usage will be 129,000 gallons a year. Existing water storage totals 10,000 gallons. The project is conditioned to add an additional 40,000 gallons of water storage. Drying will occur on site with further processing occurring offsite at a licensed facility. Power is provided by solar with generator backup. Project is conditioned to source power from renewables, reserving the generator for emergencies only; and

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

- 1. FINDING:**                    **Project Description:** Special Permit for 9,365 square feet of existing outdoor commercial cannabis cultivation. Irrigation water is sourced from an existing permitted on-site well. Total water usage will be 129,000 gallons a year. Existing water storage totals 10,000 gallons. The project is conditioned to add an additional 40,000 gallons of water storage. Drying will occur on site with further processing occurring offsite at a licensed facility. Power is provided by solar with generator backup. Project is conditioned to source power from renewables, reserving the generator for emergencies only.

**EVIDENCE:** a) Project File: PLN-12603-SP

- 2. FINDING:**                    **CEQA.** The requirements of the California Environmental Quality Act have been complied with. The Humboldt County Zoning Administrator has considered the adopted 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 has considered the Addendum to the MND that was prepared for the Ivan Jimenez 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) Review of the California Natural Diversity Database did not indicate any known rare or endangered species in or near the project area. As proposed and conditioned, the project is consistent with CMMLUO performance standards and will not negatively impact the Northern Spotted Owl or other sensitive species.
  - d) The cultivation of cannabis will not result in the net conversion of timberland. A review of NAIP imagery on the Humboldt County Web GIS from 2016-2020 does not show evidence of timber conversion occurring onsite. The project does not propose any timber conversion, as such the project can be implemented with no net loss of timberland existent prior to the environmental baseline of January 1, 2016.
  - e) The project was referred to the Northwest Information Center (NWIC), and the Bear River Band of Rohnerville Rancheria. As requested, a cultural resources investigation was conducted. The survey found one (1) new recorded resource undisturbed by cultivation activities. Recommendations in the report include no new disturbance in the archeological site boundary and the implementation of the inadvertent discovery protocol. The report was referred to the Bear River Band of Rohnerville Rancheria for review. The Tribal Historic Preservation Officer (THPO) recommendations include capping the shared road to the site cultural site boundary (Rattlesnake Road) with culturally sterile material, if grading is conducted, a cultural monitor is to be on-site, and no new ground disturbance or infrastructure shall be placed within the restricted cultural site boundaries. No grading and new infrastructure are proposed for the project. All recommendations within the report and from the Bear River THPO are included in the conditions of approval.
  - f) A Road Evaluation Report was prepared for Bear Creek Road and Coyote Flat Road by Omsberg & Preston in August 2019. The assessment concluded that Bear Creek Road can function as

a Category 4 equivalent if certain improvements are made. Conditions of approval require the applicant to join or form a Road Maintenance Association (RMA) to share costs for road maintenance and improvements specified in the Road Evaluation Report to bring the privately maintained roads into Category 4 or equivalent standards.

- g) All development currently meets appropriate Streamside Management Area (SMA) setbacks preserving them as wildlife and riparian corridors as indicated by the Site Management Plan prepared by Timberland Resource consultants in February 2018.
- h) A Water Resource Protection Plan (WRPP) was prepared by Timberland Resource Consultants to fulfill the North Coast Regional Water Quality Control Board (NCRWQCB) Order No. R1-2015-0023.

### **FINDINGS FOR SPECIAL PERMIT**

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

**EVIDENCE:** a) The parcel has the designation of Residential Agriculture (RA). The proposed project is covered by the Open Space Action Program because the project site includes streamside management areas. The proposed cannabis cultivation, an agricultural product, is within land planned and zoned for agricultural purposes, consistent with the use of Open Space land for managed production of resources. The proposed project is outside the streamside management area. Therefore, the project is consistent with and complimentary to the Open Space Plan and its Open Space Action Program.

**2. FINDING:** The proposed development is consistent with the purposes of the existing Forestry Recreation (FR) zone.

**EVIDENCE:** a) General agricultural uses are principally permitted in FR zone (HCC 314-7.3).  
b) Humboldt County Code section 314-55.4.8.2.2 allows cultivation of up to 10,000 square feet of existing cannabis on a parcel over 5 acres in the FR zone subject to approval of a Special Permit and a determination that the cultivation was in existence prior to January 1, 2016. The application for 9,365 square feet of outdoor cultivation on a 41.7-acre parcel is

consistent with this and with the cultivation area verification prepared by the County.

- c) The location of all project elements meets the setback requirements for the FR Zone.

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

**EVIDENCE:** a) The parcel is one legal parcel as shown on the Record of Survey filed June 16, 1971, in the Recorder's Office of Humboldt County, California, in Book 27 of Surveys, Pages 1 to 11.

- b) Water for irrigation will be provided by a permitted well. The project is conditioned on the applicant adding an additional 40,000 gallons of water storage for a total of 50,000 gallons.

- c) Road Evaluation Report was completed by Omsberg & Preston dated 8/2/2019. The Evaluation addressed Bear Creek Road and Coyote Creek (Flat) Road, private roads off State Highway 36. The roads are currently being maintained. To achieve Category 4 Standards or better, road maintenance is needed. Conditions of approval to meet Category 4 Standards to improve along Bear Creek Road and Coyote Creek (Flat) Road require the cutting of tree limbs and clearing of brush on the inside of curves to improve sight distance. Bear Creek Road needs approximately ten (10) rolling dips to be graded and rocked. All road segments evaluated were found to be functionally appropriate for the expected traffic. Conditions of project approval require the applicant to join or form a Road Maintenance Association (RMA) to share costs for road maintenance and improvements to bring the privately maintained roads into Category 4 or equivalent standard.

- d) The project was referred to the Department of Environmental Health (DEH) on January 28, 2022, and comments were received on February 1, 2022. Comments from DEH stated: "Onsite processing must be supported by a permanent means of sewage disposal. Operator shall install a permitted onsite wastewater treatment system, associated with a permitted structure, to support the needs of the project." The applicant will not process cannabis on site but will transport dried cannabis to a licensed processing facility for trimming and packaging. Sanitary needs of agricultural workers will be met by portable toilets and handwashing stations.

- e) The cultivation of cannabis will not result in the net conversion of timberland.
- f) The location of the cultivation complies with all setbacks required in Section 314-55.4.11.d. It is more than 30 feet from any property line and more than 600 feet from any school, church, public park or Tribal Cultural Resource.

**4. FINDING:** The commercial cannabis cultivation and the conditions under which it may be operated or maintained will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity.

- EVIDENCE:**
- a) The site is located on road that has been found to be able to safely accommodate the amount of traffic generated by the proposed cannabis cultivation.
  - b) The site is in a rural part of the County where the typical parcel size is over 40 acres and many of the land holdings are very large. The proposed cannabis project will not be in a location where there is an established neighborhood or other sensitive receptor such as a school, church, park or other use which may be sensitive to cannabis cultivation. Approving cultivation on this site and the other sites which have been approved or are in the application process will not change the character of the area due to the large parcel sizes in the area.
  - c) Irrigation water will come from a permitted well and is conditioned upon adequate storage.
  - d) Provisions have been made in the applicant's proposal to protect water quality and thus runoff to adjacent property and infiltration of water to groundwater resources will not be affected.

**5. 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. The approval of cannabis cultivation on this site will not conflict with the ability for the residence to continue to be utilized on this parcel.

**6. FINDING:**

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

**EVIDENCE:**

- a) The project site is in the Mad River Planning Watershed, which under Resolution 18-43 is limited to 334 permits and 115 acres of cultivation. With the approval of this project the total approved permits in this Planning Watershed would be 73 permits and the total approved acres would be 30.1 acres of cultivation.

## DECISION

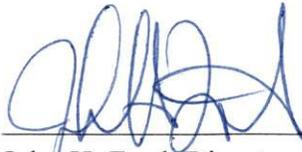
**NOW, THEREFORE**, based on the above findings and evidence, the Humboldt County Zoning Administrator does hereby:

Adopt the findings set forth in this resolution; and

Conditionally approves the Special Permit for **Ivan Jimenez** based upon the Findings and Evidence and subject to the conditions of approval attached hereto as Attachment 1A and incorporated herein by reference.

Adopted after review and consideration of all the evidence on **April 4, 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 Commission at a meeting held on the date noted above.



---

John H. Ford, Director  
Planning and Building Department

## CONDITIONS OF APPROVAL

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

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

1. Within 60 days of the effective date of permit approval, the permittee shall execute a Compliance Agreement with the Humboldt County Planning and Building Department described under Conditions of Approval A7 through A15. All activities described in the agreement must be completed to the satisfaction of the Planning and Building Department before the permit may be finalized and no longer considered provisional.
2. Prior to cultivating in 2024, The Permittee shall install a water meter at well head and shall keep monthly records of water usage. If the permittee uses the well for domestic water this use must be metered separately. The water meter records shall be made available to the Planning Department at each annual inspection or as requested by planning staff.
3. Prior to cultivating in 2024, the Permittee shall complete the work required under Lake and Streambed Alteration Agreement (1600-2018-0529-0000-R1) and shall submit a work completion report to CDFW.
4. Within 60 days of permit approval the permittee shall submit an updated site plan that will include the following items:
  - a. Define the boundaries of the cultivation sites 1 and 2 and show the square footage of each cultivation area.
  - b. Show the location of the additional water storage required condition A11.
  - c. Show the location of the dedicated fire suppression water tank.
5. 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.
6. 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.

7. Permittee must demonstrate that a properly functioning onsite wastewater treatment system serves the operation. This can be accomplished by either installing a new, permitted septic system; or alternatively, permittee shall provide DEH with an assessment of the existing system performed by a qualified professional engineer, geologist, soil scientist, or REHS that certifies that the existing system complies with the State RWQCB definition of a Tier 0 system - not impairing groundwater or surface water resources. Until such time that this condition is satisfied, the permittee must use a portable toilet to support the cultivation operation.
8. The permittee shall implement the Water Resources Protection Plan (WDID#: 1B161523CHUM) to deconcentrate surface flow off roads and away from streams. This would include installation and/or maintenance of ditch relief culverts and water bars as necessary to mitigate sediment delivery to streams.
9. The permittee shall have a dedicated fire suppression tank with a minimum of 2,500-gallon capacity. The designated fire suppression tank shall have the appropriate pipe size and valving requirements for such structures according to the Humboldt County Fire Safe Regulations Ordinance No. 2540 (Humboldt County, 2015) and shall meet minimum CalFire SRA requirements.
10. The Permittee shall secure building permits for all structures and grading associated with the cannabis cultivation project. Permits will be required for two dry sheds, and a multi-purpose structure and any significant grading that occurred to facilitate the cultivation operation.
11. The permittee shall install no less than an additional 40,000 gallons of water storage on the property for a total of 50,000 gallons of hard sided water tank storage. This total does not include the dedicated fire suppression tank.
12. The shared road (Coyote Flat Road, also referred to as Rattlesnake Ridge Road) that intersects the boundaries of the cultural site, and the driveway leading to the trailer parked inside of the cultural site, should be capped with culturally sterile material. If grading is to occur on the section of road within the site cultural site boundaries a Tribal monitor will need to be present. No ground disturbing activities or new infrastructure shall be placed within the boundaries of the cultural site. The map on page 8 of the site record, and THPO discussion map produced by DZC Archaeology and Cultural Resource Management, June 2020, illustrate the areas to be capped.
13. The permittee shall submit a Development Plan to the Planning Division for review and approval. Three paper copies of the development plan will be required. The map shall

be drawn to scale and give detailed specifications as to the development and improvement of the site and shall include the following site development details: Culturally sensitive areas and streamside management areas with notations that development is not permitted in these areas without further review and approval by Humboldt County.

14. The permittee shall cause to be recorded a "Notice of Development Plan" on forms provided by the Humboldt County Community Development Services—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.
15. The permittee shall complete the road improvements recommended on page 2 of the road evaluation report. Improvements are to be made to Coyote Flat Road and Bear Creek Road to the project parcel. The permittee shall complete these improvements by either forming and/or participating in a road maintenance association or contributing a fair share toward the road improvements.
16. The permittee 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.
17. The permittee shall transition to 100% renewable energy by January 1, 2026.

**B. 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 permittee 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. Should the irrigation needs prove to be more than 129,000 gallons annually the

cultivation area shall be reduced, or the water storage shall be increased as appropriate.

3. The permittee shall adhere to the ongoing monitoring and maintenance protocols listed in the table of the Water Resources Protection Plan as amended.
4. Generators must be housed in structure that features secondary containment for fuel leaks and spills, and generator sheds must have walls and a roof to attenuate generator noise.
5. 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.
6. All artificial lighting shall be fully contained within propagation structures such that no light escapes (e.g., through blackout tarps). Structures shall be enclosed between 30 minutes prior to sunset and 30 minutes after sunrise to prevent disruption to crepuscular wildlife. Security lighting shall be motion activated and comply with the International Dark-Sky Association standards and Fixture Seal of Approval Program; see: <https://www.darksky.org/our-work/lighting/lighting-for-citizens/lighting-basics/>. Standards include but are not limited to the following, 1) light shall be shielded and downward facing, 2) shall consist of Low-Pressure Sodium (LPS) light or low spectrum Light Emitting Diodes (LED) with a color temperature of 3,000 kelvins or less and 3) only placed where needed.
7. Should the Humboldt County Planning Division receive complaints that the lighting or noise is not complying with the standards listed above in items B.7 and B.8, within ten (10) working days of receiving written notification that a complaint has been filed, the permittee shall submit written verification that the lights' shielding and alignment, and noise levels have been repaired, inspected, and corrected as necessary.
8. Prohibition on use of synthetic netting. To minimize the risk of wildlife entrapment, Permittee shall not use any 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.
9. All refuse shall be contained in wildlife proof storage containers, always, and disposed

of at an authorized waste management facility. This includes plastic irrigation lines when not in use during the growing season.

10. Should any wildlife be encountered during work activities, the wildlife shall not be disturbed and be allowed to leave the work site unharmed.
11. The use of anticoagulant rodenticide is prohibited.
12. All components of project shall be developed, operated, and maintained in conformance with the Project Description, the approved Site Plan, the Cultivation & 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.
13. 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.
14. 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.
15. 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.
16. 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.
17. 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).

18. Maintain enrollment in Tier 1, or 2 certification 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.
19. 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.
20. 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).
21. Refrain from the improper storage or use of any fuels, fertilizer, pesticide, fungicide, rodenticide, or herbicide.
22. Pay all applicable application, review for conformance with conditions and annual inspection fees.
23. 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.
24. The master logbooks maintained by the permittee to track production and sales shall be maintained for inspection by the County.
25. Pay all applicable taxes as required by the Humboldt County Commercial Marijuana Cultivation Tax Ordinance (Humboldt County Code Section 719-1 et seq.).
26. The permittee is not allowed to utilize stringed lighting in the outdoor cultivation greenhouses, and this must be demonstrated through a site inspection.

#### Performance Standards for Cultivation and Processing Operations

27. 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).
28. 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.
29. 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.
30. 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

31. Term of Commercial Cannabis Activity Conditional Use Permit & Special Permits. Any Commercial Cannabis Cultivation CUP issued pursuant to the CMMLUO shall expire one (1) year after date of issuance, and on the anniversary date of such issuance each year thereafter, unless an annual compliance inspection has been conducted and the permittees and the permitted site have been found to comply with all conditions of approval.
32. 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 Conditional Use Permit, immediately upon the expiration of any appeal period, or final determination of the appeal if an appeal has been timely filed pursuant to Section 55.4.13.
33. 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.
34. 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 if 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.
35. 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.

36. 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. 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.
2. The permittee shall be aware that the Federal Government considers the cultivation of cannabis to be an illegal activity. This project is accessed by using roads that pass-through lands owned by the Federal Government. The Federal Government may not allow the permittee to use these roads to transport cannabis. In such case, Humboldt County will not provide relief to the permittee. Approval of this permit does not authorize transportation of cannabis across Federal lands.



**RECEIVED**

By Andrew Whitney at 2:02 pm, Jan 30, 2024

APN 208-271-011

3107 Coyote Flat Rd.  
Dinsmore, CA 95526

PREPARED BY:

**Ivan D Jimenez**  
CEO Gold Rush Farm



Humboldt County CMMLUO Permit

PLN-12603-SP

State lic# CCL19-0001809

### Cultivation and Operation Plan

Purpose of the Cultivation and Operations Plan Subsection (d) of Section 314-55.4.10 of the county code sets forth the required elements of a cultivation and operations plan. These required elements are addressed below and include: 1. Water source. 2. Storage. 3. Irrigation plan. 4. Projected water usage. 5. Description of site drainage, including run-off and erosion control measures. 6. Details of measures taken to ensure protection of water shed and nearby habitat 7. Protocols for proper storage and use of fertilizers, pesticides and other regulated products used. 8. Description of cultivation activities detailed processing plan. 9. Schedules of activities during each month of the growing and harvesting season. 10. Security plan.

### Water Source

All water used in cultivation is currently sourced on-site from a pre-1974 well. A water well completion report has been done by FreshWater Environmental and issued to the planning dept.

### Storage

Water is currently stored in two 2,825-gallon, one 500 gallon, and one 5,000-gallon tanks on-site. Water storage capacity will be increased to 20,000 gallons for cultivation water as well as a dedicated 2,500 fire suppression tank. All tanks will be filled prior to May 15th of every year.

### Irrigation Plan

All irrigation is done by a drip water system which is implemented by hand, ensuring that a minimal amount of water is delivered directly to the plants, as necessary. Extreme effort is taken to ensure the irrigation system does not waste water.

### Projected Water Usage

Based on current and projected water use, we estimate that in total 129,000 gallons on average will be used annually for production. Water usage is monitored on-site by a well meter and kept on water usage logs.

Month	Garden 1	Garden 2	Misc	Total/Gal
Dec-April	15000	15000	1000	31000

May	8000	70500	500	15000
June	10000	9500	500	20000
July	13000	11000	1000	25000
August	10000	9000	1000	20000
Sept	7000	7000	1000	15000
Oct	5000	4500	500	10000
Nov	1500	1000	500	3000
			<b>Total</b>	<b>129,000 Gal</b>

## Drainage

### **Site Drainage**

Farming sites: All cultivation occurs in areas which are relatively flat (less than 5% slope). Cultivation occurs in 12" top soil beds and 45-100gal mesh smart pots and fenced fields. All irrigation is maintained in greenhouses and no run off is allowed to escape. Because of strict protocols for water usage, run off is not created.

**EROSION CONTROL:** Erosion is prevented by limiting cultivation to areas of the property with slopes less than 5 %. The on-site water tanks have an associated french-drain capable of handling any potential tank failure which drains into vegetative swales to ensure no discharge into waters of the State can occur.

**DITCHES:** Additionally, all culverts and drainage ditches are lined and properly maintained to prevent erosion and sediment movement during the wet winter months when cultivation is not occurring.

### Protection of water shed and nearby habitat

Gold Rush Farm has contracted Timberland Resource Consultants to develop a water resource protection plan for the property, which has been completed; and has been enrolled in the North Coast Regional Water Quality Control Board's Waiver of Waste Discharge program as a Tier 2 Discharger. GRF will monitor all water and site activity throughout the year and report such activity in accordance with the NCRWQCB Tier 2 requirements. Additionally, the applicant has installed a water flow meter on the main cultivation area to track the water use for cultivation activities. GRF has also conducted the following: **Road Evaluation Report** and an **Archaeological Survey**

### Storage Fertilizers and Pesticides

GRF only uses organic and natural fertilizers, and pesticides products. Applicant has developed an all-organic compost tea plan for the cultivation process as part of our Pest Management Plan, which has been completed. Components are stored in a locked shed and accessed only by a license applicator. In addition, to ensure no chemicals are used for cultivation, GRF has developed an integrated beneficial bug plan. Any pesticides used adheres to organic farming standards along with the approved state Agricultural Department's list of pesticides. Any application of pesticides is done by a certified pesticide applicator who wears a full protective suit (PPE) with gloves and respirator mask in a properly ventilated area in accordance with the label instructions. GRF has developed a Pesticide Plan in accordance with DPR standards, which will ensure environmental and worker safety.

## **Cultivation Activities**

Cultivation activities are performed in the county permitted area of the parcel and consists of two garden sections. Cultivation Site 2 is made of four 100'x13' ground beds and 1,605 square feet of plants in pots or individually dug holes. Cultivation site 1 is located between two class II Ephemeral Watercourses. Cultivation Site 1 is two 100'x8' ground beds and two 60'x8' ground beds. These beds have been relocated from the original cultivation area to comply with County SMA regulations. Total Cultivation area shall not exceed 9,365 square feet. Cultivation activities typically commence in April when plants are started in 3" pots and propagated in the nursery 936 square foot nursery area. After reaching an appropriate size, the plants are then transplanted into common beds directly in the ground; and which are amended with organic nutrients. Plants are grown in a full sun cycle. Then they are harvested between mid-October to November.

## **Nursery and Propagation**

Nursery plants will be grown from seed on site and/or clones will be purchased from a licensed source. The nursery plants will be propagated in pots under 45-watt LED supplemental fluorescent lights to promote the vegetative cycle. Propagation will be set up under our nursery canopy. These plants will then be transplanted into the common beds of the gardens and then veg and flower according to the full sun harvest cycle. However, we may choose to purchase clones from an approved state licensed nursery.

## **Processing Plan**

Harvesting is done by hand; and plants are hung, according to strain, in multipurpose 10'x10' covered sheds in the cultivation zone under controlled conditions to keep temperature and humidity levels for proper curing of the flower. Drying/Curing typically takes 5-7 days. After drying, the plants are bucked down in lockable bins and weighed to determine the total plant matter weight. Stalks are collected and stored until destroyed in a burn barrel under constant monitoring. Burning is during appropriate burn times to meet or exceed air quality standards. The applicant has a burn permit for this activity.

## **Processing**

Leafing and trimming of the plants is conducted on site by hand. Great care is taken to maintain all work surfaces and equipment in clean and sanitary conditions. Harvest personnel work in sanitary well-ventilated spaces, and at times extreme working conditions Protocols to prevent contamination of cannabis product from becoming molded and/or mildewed are strictly followed. The finished product is packed and accounted for according to the standards set forth by the Agricultural Department.

To ensure protocol is followed for all activities, the applicant keeps logs of all monitoring procedures of the processing plan.

## **Soil and Spoils Plan**

### **Soil**

Beds are amended and a winter cover crop is planted. Applicant a winterization plan. There is no soil waste on the site.

### **Spoils**

Green waste is weighed and composted and then disposed of in the greenwaste zone. Applicant has developed a Waste Management plan.

## Monthly Activities

**January** No cultivation activity.

**February** No cultivation activity.

**March** No cultivation activity.

**April** Clones are delivered from a licensed source, seed plants are planted on seed starters.

**May** Clones are transplanted into 3" pots to continue veg growth.

**June** Plants are planted directly into beds in Garden 1 and Garden 2

**July/August** Plants continue to veg and transition to flower under full sun conditions.

**September** Plants are in flower production.

**October** Gardens are harvested when cannabis flowers reach maturity.

**November** Gardens are harvested when cannabis flowers reach maturity.

## Employee Standards

All employees receive training specific to their position when starting.

GRF has completed the following:

**Injury Illness Prevention Program**

**Heat Illness Prevention Program**

**Fire Prevention and Evacuation Program**

## **Employment Plan**

Currently we employ one full-time position for administration manager and we utilize contract labor as needed. In the event contract workers are hired, GRF will comply with all applicable federal, state, and local laws and regulations governing California agricultural employers, which includes federal and state wage and hour laws, CalOSHA, California agricultural labor relations, and Humboldt County codes.

Both the owner *Ivan Jimenez* and the senior position *James Stoller* have completed the CalOsha training and passed certification.

## **Power source**

### **Administrative/additional structures**

- 1 - Goal Zero Yeti 1500X Portable Power Station
- 2 - Goal Zero Yeti 1500X Portable Power Station
- 3- Goal Zero Yeti 500X Portable Power Station
- 4- Goal Zero Yeti 1500X Portable Power Station

### **Emergency back up**

1. HONDA EB6500 664320 6500 W 120/240 V Industrial Generator

## Security plan

Cultivation area/ administration office and additional structures are locked behind 6' redwood fences. Additionally, the gardens are individually locked and secured. The surrounding premises are equipped with motion detection cameras and lighting. Strict protocols are followed to ensure security systems are in place 24/7, and a guard dogs is always on site.

**RECEIVED**

By Andrew Whitney at 11:17 am, Jan 30, 2024

**APPROVED**

APR 4 2024

Humboldt County  
PLANNING

APN 208-271-011

DIAGRAM

- Crossing
- Map Point
- Water Tank 5000 gal
- Groundwater Well
- PG&E Gas Pipeline
- Seasonal Road
- Permanent Road
- Road to be decommissioned
- PG&E Access Trail
- Class III Watercourse
- Class II Watercourse
- Cultivation Site
- Property Boundary

Map not to scale



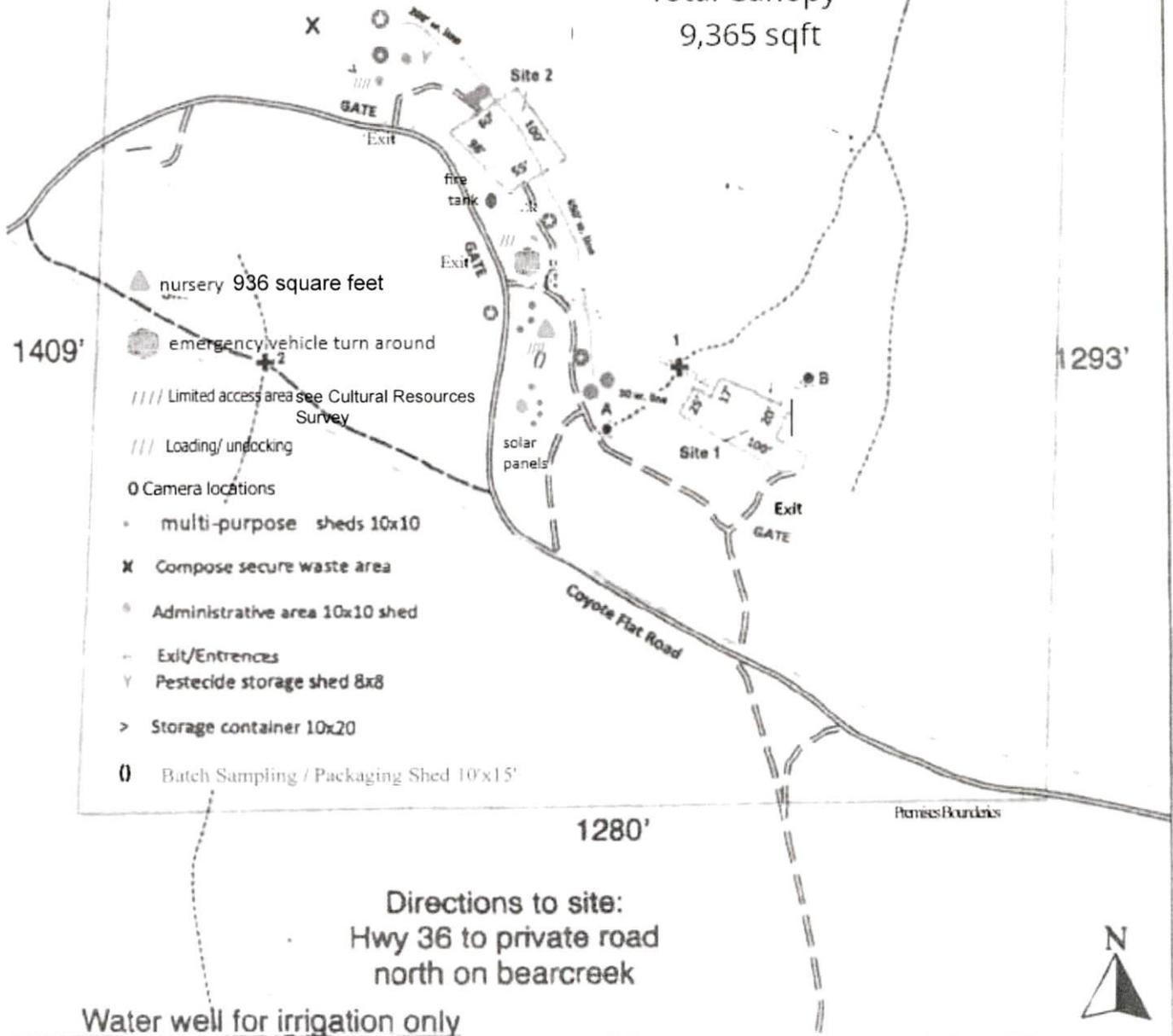
gold rush

Ivan D. Jimenez  
3107 Coyote Flat Rd  
Bridgeville Ca. 95526

Property GPS  
40.506652 -123.640095

Well GPS: 40.5064  
-123.6392

Total Canopy  
9,365 sqft



Water well for irrigation only

Source of unmatured plants are offsite

