

ATTACHMENT 5

Referral Agency Comments and Recommendations

The project was referred to the following referral agencies for review and comment. Those agencies that provided written comments are checked off.

Referral Agency	Response	Recommendation	Location
Division Environmental Health	✓	Conditional approval	On file
Public Works, Land Use Division	✓	Conditional approval	On file
CALFIRE	✓	Conditional approval	On file
Northwest Information Center	✓	Further study	On file
Bear River Band of the Rohnerville Rancheria	✓	Conditional approval	On file
Intertribal Sinkyone Wilderness Council			
North Coast Regional Water Quality Control Board			
Humboldt County Sheriff			
Southern Humboldt Joint Unified School District			
Building Inspection Division	✓	Conditional approval	On file
California Department of Fish & Wildlife	✓	Conditional approval	Attached
NCUAQMD			
Humboldt County Agricultural Commissioner			
Humboldt County District Attorney			
Division of Water Rights			

From: [Kamoroff, Corrina@Wildlife](mailto:Kamoroff,Corrina@Wildlife)
To: [Yandell, Rodney](mailto:Yandell,Rodney)
Cc: [Manthorne, David@Wildlife](mailto:Manthorne,David@Wildlife); [Johnson, Cliff](mailto:Johnson,Cliff)
Subject: App: PLN-12313-SP, APN: 221-061-034-000
Date: Friday, August 25, 2023 11:56:05 AM

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Hi Rodney,

Please see the comments below regarding the above referenced project.

Project Number: PLN-12313-SP

Project Names: Magick Mountain Organics Salmon Creek LLC- SP for 8,110 SF OD

APN(s): 221-061-034-000

Project Description

A Special Permit for 8,102 square feet of existing outdoor light-deprivation cannabis cultivation occurring in three greenhouses. There will be up to two flowering cycles per year. Water for irrigation is sourced from a 500,000-gallon rain catchment pond and a 25,000-gallon rain catchment tank. There is an additional 15,800 gallons of hard storage that is filled from the pond and catchment tank during the winter months. Annual water use for irrigation is 92,000 gallons. Clone stock will be purchased from a licensed nursery. There will be one full time seasonal employee on site during cultivation cycles in addition to the applicant. Processing currently occurs on-site by the applicant utilizing a trim machine in an 8'x20' conex container. The applicant is proposing to move processing off site to a licensed processing facility. Cannabis is dried and stored in an 8'x20' conex container. Power is provided by a 45kW Whisper Watt generator and two solar panels, which provide 30-kW of power. The applicant proposes to install additional solar panels with the use of a backup generator in emergency situations. The application also includes a Special Permit as is required for development in the Streamside Management Area (SMA) to remediate or decommission encroachments on Class II and III streams.

CDFW COMMENTS:

Thank you for referring this application to the California Department of Fish and Wildlife (CDFW) for review and comment.

On August 17, 2023, CDFW staff conducted a site inspection at the subject property on Assessor' Parcel Numbers (APN) 221-061-034-000. During the site visit staff walked the property to observe current and historic cultivation activities. The following comments are intended to assist the Lead Agency in making informed decisions in the planning process. The

following comments shall supersede prior comments submitted by CDFW regarding PLN-12313. CDFW requests that all comments are incorporated in the final Humboldt County Staff Report.

- The Lake and Streambed Alteration Agreement (LSAA) for this project was notified for by applicant Guergui Iliev. The LSAA will expire on November 19, 2023, and had a required work completion date no later than October 1, 2019. No work has been completed, nor has the applicant submitted a work completion report. Justin Plesh has recently purchased the parcel and is not listed as an applicant on the existing LSAA. CDFW requests, as a condition of project approval, that the applicant notifies for the required projects and submit all required reporting to CDFW.
- While on site CDFW observed uncovered containers that entrapped and killed numerous rodents and lizards. CDFW requests, as a condition of project approval, that all containers are covered to prevent the entrance and entrapment of amphibians and other wildlife.
- While on site CDFW observed unused waterline that was previously used to irrigate historic cultivation sites throughout the parcel. CDFW requests, as a condition of project approval, that all unused water line, infrastructure, and debris from the historic grow sites are removed and properly disposed of at a waste management facility.
- While on site CDFW observed erosion occurring as a result of an unmaintained Ditch Relief Culvert (DRC). CDFW requests, as a condition of project approval, that the applicant maintain all DRCs on the parcel, including rocking all ditches as necessary to minimize erosion.
- While on site CDFW observed uncontained monofilament netting that was used during cannabis cultivation operations. To minimize the risk of wildlife entrapment, CDFW requests, as a condition of project approval, the prohibition of synthetic netting (e.g., plastic or nylon) including photo or biodegradable plastic netting for the purpose of cultivation operations and/or erosion control.

Thank you,

Corrina Kamoroff

Environmental Scientist
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