

ATTACHMENT 3

Correspondence Requesting Additional Evidence



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT

3015 H Street Eureka CA 95501
Fax: (707) 268-3792 Phone: (707)445-7541

Sent Via Email and US Mail

July 14, 2022

Ron Lundblade
PO Box 3597
Eureka CA 95502

RE: Record No. PLN-12543-CUP and PLN-12544, APN: 210-042-004 and 210-044-004

Dear Ron Lundblade,

A recent review of pending commercial cannabis permit applications indicates that the above projects have not had any activity for some time. A records check indicates that we never received a response to our July 25, 2018, correspondence requesting additional information regarding the incomplete applications. We also attempted reach you via email on October 7, 2021, but did not receive a response.

Please notify of us which of the following one of the following option are chosen regarding the above applications:

- 1) Withdraw the above applications; OR
- 2) Provide the missing information within 30 days of this letter so processing of these applications can occur; OR
- 3) If we do not receive a response to this letter within 30 days, these applications will be scheduled for denial. If scheduled for denial before the Planning Commission, you will incur additional staff costs.

If you wish to request withdrawal of this application, you may do so in writing by email at: sasantos@co.humboldt.ca.us. Please include the above application numbers in all correspondence.

I look forward to hearing from you. I am available at 707-268-3749 if you have questions about this letter.

Sincerely,

Steven A. Santos
Senior Planner

Ec: ronnielundblade@suddenlink.net

Santos, Steven A

From: Santos, Steven A
Sent: Thursday, October 07, 2021 12:16 PM
To: ronnielundblade@suddenlink.net
Subject: Applications 12543 and 12544 on APNs 210-042-004 and 210-044-004

Good Morning,

A recent review of pending applications indicates that the above projects have not had any activity for some time. A records check indicates that we never received a response to our July 25, 2018 correspondence requesting additional information. Please let us know which of the following options you would like to pursue:

- 1) Withdraw the above applications and request a refund of the application deposit (if any); OR
- 2) Provide the requested information within 30 days so processing of these applications can occur; OR
- 3) If we do not receive a response, these applications will be scheduled for denial. As such they will incur additional staff costs.

I am available any time to answer questions about these options or to discuss these applications. I hope to hear from you soon. My contact information is below.



Steven A. Santos
Senior Planner
Planning and Building Department
707.268.3749



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT
CANNABIS SERVICES DIVISION

3015 H Street Eureka CA 95501
Fax: (707) 268-3792 Phone: (707)445-7541

July 25, 2018

Ron Lundblade
PO Box 3597
Eureka, CA 95502

RE: Permit Application Nos. 12543
12544

APN: 210-042-004
210-044-004

Case No.: CUP16-738
CUP16-739

Dear Ron Lundblade:

Thank you for your submittal of the two above referenced applications for commercial cannabis permits on 12/23/16 for "Tier III >10,000-43,560" square feet of commercial cannabis cultivation. Prior correspondence regarding these projects has included an incomplete letter dated 2/9/17. These projects became eligible for an interim permit in March of 2018.

After review of the legal status of your parcel it has been determined that these two Assessor's Parcel Numbers are a portion of a larger legal parcel. APNs 210-042-004 and 210-044-004 constitute one legal parcel. Because of this determination, we recommend you merge applications 12543 & 12544 into one application. The maximum allowable amount of cannabis cultivation area (*assuming you can provide sufficient proof of historical cultivation*) would be 43,560 square feet on the parcel. Your application materials must be revised to reflect the legal parcel determination.

After review the application submittal was found not to contain all of the required information and we are unable to move the permit forward at this time. Listed below are the actions you must take for staff to continue processing this permit application:

1. Submit additional evidence of historic cultivation or amend the application. The county performed a cultivation area verification (CAV) on the parcel to find evidence of historic grow sites in existence prior to January 1, 2016. On APNs 210-042-004 & 210-044-004 (one legal parcel) the CAV found 19,150 square feet of outdoor cultivation. Evidence of prior cultivation has previously been submitted, but is inconclusive as it does not include measurements, and staff cannot. In order to support the full application for 43,560 square feet, additional evidence would need to be submitted. Alternatively, the project and associated materials (site plan, ops plan, etc.) may be amended to reflect what the county was able to verify.
2. Submit a consolidated, revised Site Plan that includes:
 - o Location, quantity, and type of cultivation (see item #1 of this letter – note that the maximum allowable amount of cannabis cultivation area (*assuming you can provide sufficient proof of historical cultivation*) would be 43,560 square feet)
 - o Easements (if applicable; if not, include a note as such);
 - o Graded flats (if applicable; if not, include a note as such);
 - o Buildings labeled as to type and date of construction including whether they will be used for any cultivation or processing activity;

- o Septic/sewer system location; and
 - o Date of construction for other buildings and water storage structures.
3. Submit a consolidated, revised Operations Plan that includes:
 - o Quantity, and type of cultivation (see item #1 of this letter – note that the maximum allowable amount of cannabis cultivation area (assuming you can provide sufficient proof of historical cultivation) would be 43,560 square feet);
 - o Combined type, location, and capacity of existing and proposed water storage – Including an estimate of storage capacity for the pond;
 - o Combined projected water usage on a daily or monthly basis; and on an annual basis;
 - o Number of individuals required for operations, both full time and seasonally; and
 - o Detailed schedule of activities during each month of the growing and harvesting season.
 4. Submit two replacement \$30 checks or money orders made payable to the Bear River Tribal Historic Preservation Officer (THPO). The ones previously on file have expired due to 180 days elapsing. Please note that a check to the NWIC is no longer required and is also being returned.
 5. Submit a copy of the North Coast Regional Water Quality Control Board (RCRWQCB) Notice of Intent and Monitoring Self-Certification and any other documents submitted to the State Water Resources Control Board (SWRCB).
 6. Submit a copy of a Water Resources Protection Plan (WRPP) prepared for the project, or a letter from a qualified professional indicating that one is being prepared.
 7. Submit a completed Road Evaluation Report (enclosed).

County staff will conduct a review of previous land use actions that have been approved on the subject parcel(s) to ensure that, "The proposed development complies with the terms and conditions of any applicable permit and/or subdivision map that was previously approved for such development" (HCC §312-2.4.1.2). If a relevant project is found and additional information is needed, our office will contact you.

Please keep in mind, additional information may be requested once the project is reviewed by State and local agencies during the referral stage of the process. The Department cannot make the required findings specified in Humboldt County Code Sections 312-1.1.2 and 312-17 et seq., and the California Environmental Quality Act (CEQA) based on the information submitted to date. In order for the Department to further evaluate this project for compliance, the additional requested information must be submitted.

Unless it is withdrawn, the Department must act on your application. For this reason, if you do not submit the requested materials or a request for hearing within 180 days (6 months) of the date of this letter, we will begin scheduling your project for a hearing. This could result in the denial of your application and the inability to secure a State license under the Medical and Adult Use Cannabis Regulation and Safety Act (MAUCRSA).

Please accumulate all requested material and submit as a complete package to the contact listed below during regular business hours. When submitting these items please include the Application Number and APN found at the top of this letter. For most efficient processing, please include a copy of this letter with your submittals.

Unless operating subject to a valid Interim Permit issued by the County, please remember that the filing of a permit application does not authorize the applicant to engage in any new commercial marijuana cultivation, processing, manufacture or distribution activity. No such activity shall

commence until the application has been processed to decision and all requisite clearances, permits and/or licenses have been secured. If you have questions about this letter, please contact Isaac Hansen at 707-445-7541.

Sincerely,

A handwritten signature in cursive script that reads "Isaac Hansen".

Isaac Hansen
Cannabis Services Division
vendorlaco@co.humboldt.ca.us

Cc: Agent

Brian Reilly
PO Box 635
Blue Lake, CA 95525

Attachments

Road Evaluation Report
Four Expired Checks



HUMBOLDT COUNTY
PLANNING AND BUILDING DEPARTMENT
CANNABIS SERVICES DIVISION

3015 H STREET, EUREKA, CA 95501
FAX: (707) 268-3792 PHONE (707) 445-7541

2/9/2017

Brian Reilly

PO Box 635

Blue Lake, CA 95525

RE: Permit Application No. 12544 APN 210-044-004-000

Dear Brian Reilly,

Thank you for your Commercial Cannabis Permit Application. After an initial review, the submittal did not contain all of the required information and has been deemed incomplete. The items below must be provided before we can begin processing your application. For a complete version of the application checklist please visit: <http://humboldt.gov.org/DocumentCenter/View/53497>

✓ **Additional Payments**

Check(s) in the amount of \$30.00 payable to the Tribal Historic Preservation Office (THPO) for each of the following tribes: \$30 to Bear River Band THPO.

✓ **Application Materials**

Indemnification and Hold Harmless Agreement; Commercial Medical Marijuana Land Use Ordinance Acknowledgement Form; Signed Affidavit - Commercial Cannabis Activity; Documentation of cultivation activities occurring prior to January 1, 2016 (not required for new cultivation).

✓ **Evidence of Ownership or Authorization**

Evidence of ownership is needed including, but not limited to: Copy of current deed for the property; Copy of lease or similar instrument authorizing application for permits; Copy of ownership instrument, showing all owner names (if more than one owner); Legal documentation describing the composition of the organization showing those empowered to direct the affairs and those holding an interest in the organization.

✓ **Site Plan of Entire Parcel Showing**

A site plan is needed including, but not limited to: Owner's name and assessor's parcel number; Easements; Natural waterways including streams, springs, ponds, culverts, and any other water features; Location and area of cultivation or commercial activity; Setbacks of cultivation area from property lines; Access roads; Graded flats; Buildings labeled as to type and date of construction including whether they will be used for any cultivation or processing activity; Water storage structures labeled as to type, capacity, and date of construction; Water diversions including culverts, ponds, dams, and other ground disturbance from water diversion; Dimensions showing 600 square feet around the cultivation site, including distances from nearby schools, school bus stops, places of worship, public parks, Tribal Cultural Resources, and off-site residences within 300 feet.

✓ **Cultivation and Operation Plan**

An operation plan is needed including, but not limited to: Description of water source, storage, irrigation plan, and projected water usage; Description of site drainage, including runoff and erosion control measures; Detail of measures taken to ensure protection of watershed and nearby habitat; Protocols for proper storage and use of fertilizers, pesticides, and other regulated products utilized; Description of cultivation activities (e.g. outdoor, indoor, mixed light); Processing Plan; If mixed light cultivation proposed, identify number of cultivation cycles; Schedule of activities during each month of the growing and harvesting season, including projected generator use; Security Plan.

✓ **Indoor Cultivation Facilities**

Information on indoor facilities is needed including, but not limited to: Identify source of electrical power; Include description of how it will meet energy requirements described in section 314-55.4.8.3 of the Zoning Code.

✓ **Retirement, Remediation, and Relocation (if applicable)**

If your project includes a Retirement, Remediation, and Relocation please consult the application checklist found at: <http://humboldt.gov/DocumentCenter/View/53497>

✓ **Other Permits, Licenses, and Documents (if applicable)**

If applicable, please include: A copy of the statement of water diversion, or other permit, license or registration filed with the State Water Resources Control Board, Division of Water Rights; Copy of Notice of Intent and Monitoring Self-Certification and other documents filed with the North Coast Regional Water Quality Board; Streambed Alteration Permit obtained from the Department of Fish and Wildlife; Copy of County of Humboldt well permit; If parcel is zoned FR, U or TPZ, or involves conversion of timberland, a copy of less-than-3-acre conversion exemption or timberland conversion permit, approved by CAL-FIRE. For existing operations occupying sites created through prior unauthorized conversion of timberland, evidence may be provided showing the landowner has completed a civil or criminal process and/or entered into a negotiated settlement with CAL-FIRE.

Please assemble all requested material and submit as a complete package. Once the items above are submitted and the application is determined to be complete, we will refer it to the appropriate agencies for comment. Additional issues or concerns may be identified through the referral and/or environmental review process. To help in this effort, the Division of Environmental Health has provided a checklist which has been enclosed.

The filing of an application does not authorize the applicant to engage in any new commercial medical marijuana cultivation, processing, manufacture or distribution activity. No such activity shall commence until the application has been processed to decision and all requisite clearances, permits and/or licenses have been secured.

If you submitted an update to your application that is not reflected in this letter, it may be because that additional information has not yet been added to your project file. Rest assured, if we received something, it will be added to your project file. Again please bring all the items indicated in this letter to make your application complete. If you have any questions regarding this letter please call the Planning and Building Department at (707)445-7245.

Sincerely,



Rodney Yandell, Planner
Cannabis Services