



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT
CURRENT PLANNING DIVISION

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

November 29, 2021

Josh Clark
42112 Roanoake St
Temecula, CA 92501

Application 16202, APN 208-271-012

Dear Mr. Clark

We have completed our review of the draft Initial Study and Biological Report that were submitted for your proposed Cannabis Farm Improvement Project. Additional information and revisions are necessary in order to complete the Initial Study and before the county can proceed with circulation of the CEQA document. The following general comments are provided:

The biological report as amended is not adequate for environmental review purposes. While a good report, it is incomplete based on the fact that it was a late season survey only. It lists special status plant species that could not have been identified in August at the time of the site visit as having potential to occur on the site. A seasonal appropriate botanical survey is required in order to identify or rule out all special status plant species that have the potential to occur on the site. Please note that the study also concludes that an additional survey is needed to clarify the status of grassland in the project area.

The biological study identifies a potential wet area in the general location of proposed cannabis cultivation. This must be reviewed and delineated by a professional wetland biologist and shown on the site plan.

The road evaluation documents that the roads are not in very good shape and include road grades in excess of 16% slope which is problematic and may prevent emergency vehicles from being able to access the site. It is unclear whether there is adequate emergency vehicle access to the site. This should be clarified by the project engineer.

The Initial Study does not include an analysis of the appropriate issues area pursuant to Appendix G, such as a discussion of vehicle miles travelled and wildfire impacts. A more up to date checklist can be found at the following website: www.califaep.org/docs/2019-Appendix_G_Checklist.pdf

The document needs to document proposed greenhouse gas emissions and total fuel usage. It does not demonstrate how 80% solar will be achieved or the timing for that. The ordinance requirement in the CCLUO is that power is sourced "exclusively" from non-renewable energy. The project should be 100% on solar or other renewable power and a power budget and preliminary design for the renewable power infrastructure should be submitted.

The initial studies states that the project may decrease groundwater supplies and then oddly finds that it is a less than significant impact. There is not enough information in the application or Well Completion Report to determine whether the well has a hydrologic connection to surface water features or is capable

of providing the irrigation needs for the project. The well location appears to be at or close to the headwaters of a blue line stream. A report by a licensed geologist or hydrogeologist will be necessary to document the likelihood of hydrologic connection or isolation to surface water and the potential impacts to groundwater resources.

All the environmental sections should have a setting which describes the existing setting. The setting is generally located before the impact discussion of each section. For instance, Biological Resources should describe the existing biological setting (resources on site, habitat type, etc.). Public Services should describe the services provided to the site (fire district, school district, police, etc.)

All of the references in the Initial Study to "client" should be changed to something such as "applicant" or project proponent". This document must reflect the county's independent judgement and referring to the project applicant as "client" is inappropriate.

Below is a summary of the specific comments made on the Initial Study (see attached Initial Study with notes)

- Page 1 Anticipated permits and approvals: Include CDFW and DCC permits needed. Revise the project description to be consistent with the application. The cultivation area should equal 165,340 square feet, however, throughout the entirety of the document 165,528 square feet is referenced.
- Page 2 project description: Include water needs, anticipated number of employees, power budget, all sources of noise and all elements that require power. Describe size of solar system. Describe potential greenhouses with typical size/height and any light-deprivation infrastructure. Describe cultivation method (i.e., in ground, in pots, beds, etc.) and anticipated soil. needed to be imported on annual basis. Plans for disposal of soil/recycling of soil.
- Page 3 under "Site Access" has the incorrect road name listed. Multiple sections of the report repeat the incorrect road name.
- Page 6 Aesthetics: Is security lighting proposed? Lighting inside buildings and work areas? Lighting in the nursery?
- Page 8 Air Quality: Needs a discussion of operational impact. Use of fuel on-site, traffic on dirt roads contributes to pm10. Consider describing measures to reduce dust from operational traffic.
- Page 12 Biological Resources: Incorporate biological study discussion of likely plants and animals on site. This section indicates no wetlands however the bio report indicates a potential wetland in the NW corner of site near cultivation. Bio study suggests further study needed on oatgrass. There is no discussion of measures needed during construction such as pre-construction nesting bird surveys. Need to show compliance with all bio mitigation measures of the EIR for the CCLUO.
- Page 18 Greenhouse Gas emissions. Discuss vehicle traffic and contribution to greenhouse gases/measures to reduce emissions. Provide 100% non-renewable power needs as per CCLUO requirement
- Page 20 Hazards: List all likely hazardous chemicals and materials to be used in operation and construction. Page 21: A site survey should be completed by a knowledgeable person to identify signs of soil contamination. Describe results of visual inspection.
- Page 24 Hydrology: Discuss well and rainwater infrastructure. gallons of rainwater catchment and how it will be collected and stored, compare to average rainfall and surface area of collection

methods to demonstrate sufficient ability to capture the proposed amount. Discuss well, depth, screening intervals, geology of well, GPM. A geologist or hydrogeologist should examine the well relative to potential surface water connectivity and ability to provide amount needed on an annual basis (recharge ability). The CEQA document states that groundwater resources may be decreased but somehow concludes that not significant. Further analysis to demonstrate non-significance is needed.

- Page 25 Land Use Planning: X.b does not state the zoning of the parcel and references the "South Coast Area Plan" which is incorrect.
- Page 27 Noise: Include discussion of operational noise. Are fans, generators proposed to be used? (generators may be used for emergency backup only) describe number, size and include manufacturers specs on noise. The CCLUO requires a 24-hour baseline noise survey on property lines. Provide this survey and discuss the results of it for the setting in this section.
- Page 28 Population and Housing: List # of employees and where they will likely be residing (this information is also necessary for a VMT analysis under transportation).
- Page 29 Public Services: XIV.a states that no additional facilities will need fire protection. How so? New structures increase fire risk and require structural fire protection. How will that be accomplished.
- Page 31 Transportation: Use current evaluation criteria per Appendix G 2019-Appendix_G_Checklist.pdf (califaep.org) . VMT needs to be identified and analyzed. XVI d and e – needs a more complete discussion of road conditions and necessary improvements. Include any mitigation in the Road Evaluation Report and reference the RER. Include analysis of road ability to accommodate emergency vehicles.
- Page 34 Utilities: Explain new stormwater facilities proposed and how the conclusion is made that there is no impact.
XVII.d explain water needs for project and how there will be sufficient water
XVII.e has soil testing been done? Explain how basin plan requirements will be met.
- Include Wildfire Discussion (see Appendix G) 2019-Appendix_G_Checklist.pdf (califaep.org)

Please contact me if you have any questions on this letter. I can be reached at (707) 268-3721 or at cjohnson@co.humboldt.ca.us.

Sincerely,



Cliff Johnson, Supervising Planner

Enc.: Initial Study with notes



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT

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

November 8, 2023

Josh Clark
42112 Roanoake St
Temecula CA 92591

RE: Notice of Action Required / Case No. PLN-2020-16202 / Assessor's Parcel Number (APN) 208-271-012

Dear Josh Clark:

Thank you for the recent submittal of a revised draft CEQA Initial Study and additional botanical survey for the above referenced application. This application is for a Special Permit for one (1) acre of new cannabis cultivation, seven (7) Zoning Clearance Certificates to approve the property to act as the receiving site for 101,780 square feet of outdoor and 20,000 square feet of mixed light cannabis cultivation relocated to the site through the Retirement, Remediation, and Relocation (RRR) program.

As noted in previous correspondence, the originally submitted botanical survey was inadequate given that it was a late season survey only. The more recent botanical survey addresses that fact and appears to meet the requirements for a protocol level botanical survey. The Planning and Building Department (Department) is in the process of conducting a review of the recently submitted draft Initial Study and supporting documents. This additional information documents that several proposed cultivation areas are situated within Streamside Management Area (SMA) setbacks, and additional cultivation areas are proposed in locations containing sensitive habitats.

Proposed mitigation measures include reduction of SMA buffers and preventing the spread of invasive species. These mitigation measures do not address the impacts of development in the SMA and removing native grassland species which have been identified as a Sensitive Natural Community (SNC). As stated in the submitted Botanical Assessment and Jurisdictional Wetland Delineation, prepared by TransTerra Consulting, "The project as proposed would remove roughly 5.5 acres of grassland. An environmentally feasible alternative to this site is not apparent as the remainder of the site is sensitive oak woodland and riparian forest".

The proposal to remove 5.5 acres of grassland identified as a SNC is in direct contradiction with Mitigation Measure 3.4-4 of the Environmental Impact Report (EIR) prepared for the Commercial Cannabis Land Use Ordinance (CCLUO), which states in part that all sensitive natural communities "shall be flagged or fenced with brightly visible construction flagging and/or fencing under the direction of the qualified biologist to require that grading, excavation, and other ground disturbing activities, and vegetation removal will not occur in these areas". Considering this information, the Department cannot confirm project consistency with the Humboldt County Code or CEQA requirements, and there does not appear to be a feasible path to project approval.

Given the above, we believe the following options available to you include the following:

1. Withdraw your permit application; or
2. Submit additional clarification from the biologist who completed the above reference report if the information in this letter is incomplete or otherwise incorrect; or
3. Request that the Planning Department schedule this project for a Planning Commission hearing understanding that the Department's recommendation would be to deny the application.

If we do not receive a response to this letter within 60 days, we will begin the work to schedule this application for a Planning Commission hearing and you will be charged for the staff time required to process what will likely be the

denial of your application. If you elect to provide additional supporting documentation as specified in the second option above, be aware you will be responsible for any costs associated with reviewing the documents provided.

you have questions about this letter, please contact me at (707) 268-3721 or at cjohnson@co.humboldt.ca.us.

Thank you,

A handwritten signature in black ink, appearing to read 'Cliff', with a long, sweeping horizontal line extending to the right.

Cliff Johnson, Planning Manager
Planning and Building Department



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT
CANNABIS SERVICES DIVISION

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

June 11, 2025

Josh Clark
42112 Roanoake St
Temecula, CA 92591

RE: Permit Application No. PLN-2020-16202, APN 208-271-012

Dear Josh Clark,

Based on a review of the application materials available on file, there are still materials needed to continue processing your permit application. Further, it is important that you are aware that since the project is for new cultivation all project conditions of approval must be demonstrated as complete before any operations can commence.

The County has been informed that the above referenced property has changed ownership, and current owner permission to conduct cannabis cultivation or other related activities has not been demonstrated.

This letter is to inform you that if you do not take one of the following actions within 30 days, your project will be processed with a recommendation of denial.

The options available to you include the following:

Option 1: Withdraw your application. If you are no longer interested in pursuing a cannabis permit on the above referenced property, submit a written request to withdraw the application. If cannabis related development has not yet occurred this process would be minimal and would likely not require any site cleanup; or

Option 2: Submit evidence of property owner permission to cultivate cannabis on the property. Appropriate evidence includes a signed and notarized letter or similar documentation.

Without this requested information the Department is unable to fully evaluate this project for compliance with the findings specified in Humboldt County Code.

Per Humboldt County Code Section 312-6.1.4 where the Department has determined that an application lacks the information necessary to demonstrate its conformance with the required findings and requests supplemental information, the applicant may disagree and may request, in writing, that the application be processed to the designated Hearing Officer as submitted. In these cases, upon receipt of the written request, the Department will schedule the application before the Hearing Officer within 30 working days. However, be aware that absent this evidence it would be extremely difficult for the Department to make a recommendation other than for denial of the project.

When you have assembled the requested material, submit the item to the Planner on Duty during regular business hours with Attn: Michael Holtermann.

Unless operating subject to a valid Interim Permit issued by the County, the filing of this application does not authorize the applicant to engage in any new commercial cannabis 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 me at 707-268-3737 or mholtermann@co.humboldt.ca.us.

Sincerely,



Michael Holtermann
Associate Planner

EC: jcog323@yahoo.com