

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
Building Inspection Division	✓	Approval	On File
Public Works Land Use Division	✓	Conditional Approval	Attached
Environmental Health Division	✓	Conditional Approval	Attached
CA Department of Fish & Wildlife			
NWIC	✓	Cultural Resources Survey	On file
Bear River Band	✓	Inadvertent Discovery Protocol	On file
Intertribal Sinkyone Wilderness Council		No Comment	
RWQCB		No Comment	
NCUAQMD		No Comment	
CA Division of Water Rights		No Comment	
County Counsel		No Comment	
County Agricultural Commissioner		No Comment	
Southern Humboldt Joint Union School District		No Comment	
California State Parks	✓	Comments	Attached
Bureau of Land Management		No Comment	



DEPARTMENT OF PUBLIC WORKS
C O U N T Y O F H U M B O L D T

MAILING ADDRESS: 1106 SECOND STREET, EUREKA, CA 95501-0579
AREA CODE 707

ARCATA-EUREKA AIRPORT TERMINAL
McKINLEYVILLE
FAX 839-3596

PUBLIC WORKS BUILDING
SECOND & L ST., EUREKA
FAX 445-7409

CLARK COMPLEX
HARRIS & H ST., EUREKA
FAX 445-7388

AVIATION 839-5401

ADMINISTRATION 445-7491
BUSINESS 445-7652
ENGINEERING 445-7377
FACILITY MAINTENANCE 445-7493

NATURAL RESOURCES 445-7741
NATURAL RESOURCES PLANNING 267-9540
PARKS 445-7651
ROADS & EQUIPMENT MAINTENANCE 445-7421

LAND USE 445-7205

LAND USE DIVISION INTEROFFICE MEMORANDUM

TO: Michelle Nielsen, Senior Planner, Planning & Building Department

FROM: Kenneth M. Freed, Assistant Engineer *KMF*

DATE: 09/04/2018

RE:

Applicant Name	<i>Last Creek Family Farms</i>
APN	<i>211-183-008</i>
APPS#	<i>10821</i>
CASE#	<i>SP18-017</i>

The Department has reviewed the above project and has the following comments:

- The Department's recommended conditions of approval are attached as **Exhibit "A"**.
- Additional information identified on **Exhibit "B"** is required before the Department can review the project. **Please re-refer the project to the Department when all of the requested information has been provided.**
- Additional review is required by Planning & Building staff for the items on **Exhibit "C"**. **No re-refer is required.**
- Road Evaluation Reports(s)* are required; See **Exhibit "D"**. **No re-refer is required.**

*Note: Exhibits are attached as necessary.

Additional comments/notes:

// END //

Exhibit "A"

Public Works Recommended Conditions of Approval

(All checked boxes apply)

APPS # 10821

COUNTY ROADS- FENCES & ENCROACHMENTS:

All fences and gates shall be relocated out of the County right of way. All gates shall be setback sufficiently from the County road so that vehicles will not block traffic when staging to open/close the gate. In addition, no materials shall be stored or placed in the County right of way.

This condition shall be completed to the satisfaction of the Department of Public Works prior to commencing operations, final sign-off for a building permit, or Public Works approval for a business license.

COUNTY ROADS- DRIVEWAY (PART 1):

The submitted site plan is unclear and/or shows improvements that are inconsistent with County Code and/or Department of Public Works policies. The applicant is advised that these discrepancies will be addressed at the time that the applicant applies to the Department of Public Works for an Encroachment Permit. If the applicant wishes to resolve these issues prior to approval of the Planning & Building permit for this project, the applicant should contact the Department to discuss how to modify the site plan for conformance with County Code and or Department of Public Works policies. Notes:

COUNTY ROADS- DRIVEWAY (PART 2):

Any existing or proposed driveways that will serve as access for the proposed project that connect to a county maintained road shall be improved to current standards for a commercial driveway. An encroachment permit shall be issued by the Department of Public Works prior to commencement of any work in the County maintained right of way. This also includes installing or replacing driveway culverts; minimum size is typically 18 inches.

- If the County road has a paved surface at the location of the driveway, the driveway apron shall be paved for a minimum width of 18 feet and a length of 50 feet.
- If the County road has a gravel surface at the location of the driveway, the driveway apron shall be rocked for a minimum width of 18 feet and a length of 50 feet.
- If the County road is an urban road, frontage improvements (curb, gutter, and sidewalk) shall also be constructed to the satisfaction of the Department. Any existing curb, gutter or sidewalk that is damaged shall be replaced.

The exact location and quantity of driveways shall be approved by the Department at the time the applicant applies to the Department of Public Works for an Encroachment Permit.

This condition shall be completed to the satisfaction of the Department of Public Works prior to commencing operations, final sign-off for a building permit, or Public Works approval for a business license.

COUNTY ROADS- DRIVEWAY (PART 3):

The existing driveway will require substantial modification in order to comply with County Code. The applicant may wish to consider relocating the driveway apron if a more suitable location is available.

COUNTY ROADS-PARKING LOT- STORM WATER RUNOFF:

Surfaced parking lots shall have an oil-water filtration system prior to discharge into any County maintained facility.

This condition shall be completed to the satisfaction of the Department of Public Works prior to commencing operations, final sign-off for a building permit, or Public Works approval for a business license.

COUNTY ROADS- DRIVEWAY & PRIVATE ROAD INTERSECTION VISIBILITY:

All driveways and private road intersections onto the County Road shall be maintained in accordance with County Code Section 341-1 (Sight Visibility Ordinance).

This condition shall be completed to the satisfaction of the Department of Public Works prior to commencing operations, final sign-off for a building permit, or Public Works approval for a business license.

COUNTY ROADS- PRIVATE ROAD INTERSECTION:

Any existing or proposed non-county maintained access roads that will serve as access for the proposed project that connect to a county maintained road shall be improved to current standards for a commercial driveway. An encroachment permit shall be issued by the Department of Public Works prior to commencement of any work in the County maintained right of way.

- If the County road has a paved surface at the location of the access road, the access road shall be paved for a minimum width of 20 feet and a length of 50 feet where it intersects the County road.
- If the County road has a gravel surface at the location of the access road, the access road shall be rocked for a minimum width of 20 feet and a length of 50 feet where it intersects the County road.

This condition shall be completed to the satisfaction of the Department of Public Works prior to commencing operations, final sign-off for a building permit, or Public Works approval for a business license.

COUNTY ROADS- ROAD EVALUATION REPORT(S):

All recommendations in the *Road Evaluation Report(s)* for County maintained road(s) shall be constructed/implemented to the satisfaction of the Public Works Department prior to commencing operations, final sign-off for a building permit, or approval for a business license. An encroachment permit shall be issued by the Department of Public Works prior to commencement of any work in the County maintained right of way.

// END //

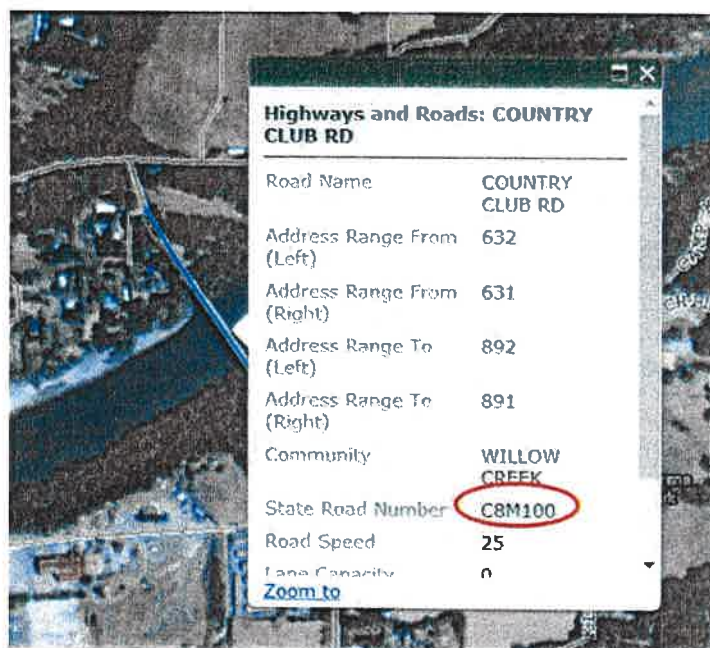
Road Evaluation Reports

1. **ROADS – Road Evaluation Reports.** Planning and Building Department staff shall request that the applicant provide Road Evaluation Reports for the project. The particular roads that require a Road Evaluation Report is to be determined by following the guidance shown below.

The Department has developed a Road Evaluation Report form so that an applicant can address the adequacy of the various roads used by their project. Most projects will require that a Road Evaluation Report form be completed.

When viewing the project site on google earth, if the County maintained road (or other publicly maintained road) has a centerline stripe, the road is adequate. If there is no centerline stripe, then the roads leading from the nearest publicly maintained road with a paved centerline stripe (or a known category 4 road) must be evaluated. A separate Road Evaluation Report form is needed for each road. This applies to all roads regardless if they are publicly or privately maintained. The Department has prepared a "approved list" of known County maintained roads that are category 4 (or are equivalent to category 4) standards for cannabis projects. The Department has also prepared a list of roads that are known to not meet road category 4 of equivalent. Both of these lists will be updated as the County information regarding the County maintained roads becomes available.

The Road Evaluation Report form needs to be provided to applicants to complete. It is important that Planning and Building Department staff provide the applicant with a map that has the roads to be evaluated highlighted. This will most likely include a combination of County maintained roads and non-County maintained roads. This will give the applicant clear direction on which roads need to be evaluated.



Above: screenshot from the WebGIS showing County Road Number circled in RED.

A County maintained road will have a 5 or 6 character identifier. The general format is ABCDDD where:

- A** is an optional identifier for the functionality of the road (A=Arterial, C=Collector, F=Federal Aid)
- B** is a grid identifier number for the X-axis of a "battleship" style grid that was drawn on a county map to divide the county into a series of squares.
- C** is a grid identifier letter for the Y-axis for the grid.
- DDD** is a three digit road identification number within a particular grid. Each grid can have up to 999 roads in them

Examples:

- ABCDDD**
- A 3 M 0 2 0 Murray Road
- F 6 B 1 6 5 Alderpoint Road
- 6 C 0 4 0 Thomas Road

Exhibit "D"

Road Evaluation Reports

The Department is working towards identifying which County maintained roads meet (or are equivalent to) Road Category 4 standards for cannabis projects. Two lists are being prepared: the first list with the green heading shows which roads (or portions thereof) meet or are equivalent to Road Category 4 standard (AKA "Approved List"); and the second list with the red heading shows which roads (or portions thereof) that do not meet or are not equivalent to Road Category 4 standards. These lists will be updated as information becomes available. **This list will be updated frequently. Make sure you are using the most up to date list.**

On occasion there may be more than one road that has the same name; in these instances check the road number to ensure that you are referencing the correct road. Until such time as the GIS roads layer has been proofed by the Department, the GIS is not to be used for this task. Use the paper road maps to check road numbers.

If the subject property takes direct access from a road on the "approved list", no further road evaluation needs to be done.

Note: As stated above, County maintained roads with a painted centerline strip are roads considered meeting or exceeding Road Category 4 standards, and are not necessarily listed below.

"APPROVED LIST"		
List of County Maintained Roads that meet (or are equivalent to) Road Category 4 standards for Cannabis Projects		
Road Name	Road Number	Range meeting (or equivalent to) Road Category 4 standard
Alderpoint Road	F6B165	All
Bair Road	C6L300	All
Bair Road	6L300	All
Bald Hills Road	F4R300	All
Benbow Drive	6B180	Oakcrest Drive to State Hwy 101
Blue Slide Road	F2G100	All [Grizzley Bluff Rd to City limits of Rio Dell]
Brannon Mountain Road	7M100	State Hwy 96 to Creekside Lane
Briceland Thorne Road	F5A010	All
Burrell Road	3D030	From Mattole Rod to P.M. 067
Cathey Road	6D050	State Park to P.M. 0.87 [End of County maintained]
Chemise Mountain Road	C4A030	Shelter Cove Road to P.M. 3.0
Dean Creek Road	6B198	State Hwy 101 to P.M. 0.48 [End of County maintained]
Eel Rock Road	7D010	All
Eighth Avenue	4N080	All
Ettersburg- Honeydew Road	F5A010	All
Fickle Hill Road	C5J040	PM 1.55 [end of centerline stripe] to P.M. 8.00
Fieldbrook Road	C4L760	All
Freshwater Road	F6F060	All
Friday Ridge Road	8L100	State Hwy 299 to PM 3.37[End of County maintained] then becomes USFS Road
Greenwood Heights Drive	C4K160	All
Grizzley Bluff Road	F2G100	All [City limits of Ferndale to Blue Slide Rd]
Jacoby Creek Road	C4K230	Old Arcata Road to P.M. 2.50
Jacoby Creek Road	4K230	From P.M. 2.5 to P.M. 2.69
Johnson Road	4G060	State Hwy 36 to P.M. 1.69 [End County maintained]
Kneeland Road	F6F060	Freshwater Road to Mountain View Road
Lighthouse Road	1D010	Mattole Road to State Park boundary
Maple Creek Road	5L100	All
Mattole Road	F3D010	All
Mattole Road	F3C010	All
McCann Road	6D090	Dyerville Loop Road to P.M. 1.0
McCellan Mtn Road	7F010	State Hwy 36 to P.M. 3.57[End of County maintained]
Mountain View Road	6H010	All
Murray Road	C3M020	All
Old Three Creeks Road	6L250	State Hwy 299 to P.M. 2.8 [End of County maintained]
Panther Gap Road	4D010	Mattole Road to P.M. 1.83[End of County maintained] continues as a non- County maintained road
Patterson Road	C3M130	All
Salmon Creek Road	6C030	Hwy 101 to P.M. 5.39 [Gate]
Shelter Cove Road	C4A010	All

Road Evaluation Reports

"APPROVED LIST"		
List of County Maintained Roads that meet (or are equivalent to) Road Category 4 standards for Cannabis Projects		
Road Name	Road Number	Range meeting (or equivalent to) Road Category 4 standard
Sprowel Creek Road	C6B095	PM 0.0 to PM 2.11
Sprowel Creek Road	6B095	PM 2.11 to PM 4.00
Thomas Road	6C040	Salmon Creek Road to P.M. 4.03 [End of County maintained] continues as a non- County maintained rd
Titlow Hill Road	7K100	Hwy 299 to PM 4.7[End of County maintained] then becomes USFS Road
West End Road	5L010	PM 0.0 at Arcata City Limits to Warren Creek Road
Wilder Ridge Road	C5B010	All

List of County Maintained Roads that do not meet (or are not equivalent to) Road Category 4 standards for Cannabis Projects		
Road Name	Road Number	Range not meeting (or not equivalent to) Road Category 4 standard
Bark Shanty Road	9R105	All
Benbow Drive	6B180	Oakcrest Dr to end of County maintained
Brannon Mountain Road	7M100	Creekside Lane to PM 5.0 [End of County maintained] then becomes USFS Road
Burrell Road	3D030	P.M. 067 to P.M. 2.22 [End of County maintained]
Butte Creek Road	6H020	All
Chemise Mountain Road	C4A030	P.M. 3.0 to P.M. 4.09 [Mendocino County Line]
Essex Lane	C4L780	P.M. 0.2 to P.M. 0.9 [End of County maintained]
Fickle Hill Road	C5J040	P.M. 8.0 to P.M. 11.72
Kings Peak Road	C4A020	P.M. 1.0 to P.M 12.20
McCann Road	6D090	P.M.1.0 to P.M.2.6 [End of County maintained]
Mill Street	3G305	Country Club Estates to P.M. 0.49[End]
Old Eel Rock Road	7D025	All
River Bar Road	4G010	Hwy 36 to P.M. 1.76 [End of County maintained]
Salmon Creek Road	6C030	P.M. 5.39 to P.M. 5.88[End of County maintained]
Sprowel Creek Road	6B095	P.M 4.00 to PM 7.22 [End of County maintained]
Stapp Road	7H010	P.M 0.00 to 3.25[End of County maintained]
Warren Creek Road	5L740	P.M 0.0 to PM 0.95 [End of County maintained]
Williams Creek Road	2G045	All

// END //



HUMBOLDT COUNTY
PLANNING AND BUILDING DEPARTMENT
CURRENT PLANNING DIVISION
3015 H STREET, EUREKA, CA 95501 ~ PHONE (707) 445-7541

PROJECT REFERRAL TO: Health and Human Services Environmental
Health Division

Project Referred To The Following Agencies:

Building Inspection Division, Public Works Land Use Division, Health and Human Services Environmental Health Division, County Counsel, CalFire, California Department of Fish And Wildlife, Northwest Information Center, Bear River Band Rohnerville Rancheria, Regional Water Quality Control Board, North Coast Unified Air Quality Management District, Humboldt County District Attorney, Humboldt County Agriculture Commissioner, Intertribal Sinkyone Wilderness Council, SWRCB: Division of Water Rights, Sheriff, California Department of Parks and Recreation, Southern Humboldt Joint Unified School District

Applicant Name Lost Creek Farms - Marion Collamer Key Parcel Number 211-183-008-000

Application (APPS#) 10821 Assigned Planner Michelle Nielsen (707) 268-3708 Case Number(s) SP18-017

Please review the above project and provide comments with any recommended conditions of approval. To help us log your response accurately, please include a copy of this form with your correspondence.

Questions concerning this project may be directed to the assigned planner for this project between 8:30am and 5:30pm Monday through Friday.

County Zoning Ordinance allows up to 15 calendar days for a response. If no response or extension request is received by the response date, processing will proceed as proposed.

€ If this box is checked, please return large format maps with your response.

Return Response No Later Than Planning Commission Clerk
County of Humboldt Planning and Building Department
3015 H Street
Eureka, CA 95501
E-mail: PlanningClerk@co.humboldt.ca.us Fax: (707) 268-3792

We have reviewed the above application and recommend the following:

Conditional Approval

Comments:

DEH recommends approval with the following conditions:

Prior to reissuance of annual permit **provide an invoice, or equivalent documentation to DEH** to confirm the continual use of portable toilets or provide an approved means of sewage disposal to serve the needs of the cultivation staff.

*This review and recommendation is for the Land Use aspects of the planning project and does not include or imply compliance with all DEH programs. Although DEH recommends the approval of the Planning project, Solid Waste and HazMat Program requirements need to be addressed directly with staff from those programs.

Response Date: 11/27/2018 Recommendation By: Joey Whittlesey

From: [Dempsey, Shannon@Parks](mailto:Dempsey,Shannon@Parks)
To: [Sutfin, Devin](mailto:Sutfin,Devin)
Cc: [Litzky, Rosalind@Parks](mailto:Litzky,Rosalind@Parks); [Johnson, Cliff](mailto:Johnson,Cliff)
Subject: RE: Commercial Cannabis Application, Lost Creek Farms, LLC, APN 211-184-006, Apps 10820
Date: Wednesday, May 03, 2023 2:26:34 PM
Attachments: [image001.png](#)
[image002.png](#)

Caution: This email was sent from an EXTERNAL source. Please take care when clicking links or opening attachments.

Hi Devin,

Thank you for following up with the concern regarding canines. State Parks understands the difficulties with conditioning a project to prohibit canines onsite.

With inclusion of the Conditions of Approval, State Parks has no more concerns currently regarding Apps 10820 and 10821.

Thank you,

Shannon Dempsey
North Coast Redwoods District
California State Parks
Office [\(707\) 445-5344](tel:(707)445-5344)
Mobile [\(707\) 498-8478](tel:(707)498-8478)

From: Sutfin, Devin <dsutfin1@co.humboldt.ca.us>
Sent: Wednesday, May 3, 2023 11:19 AM
To: Dempsey, Shannon@Parks <Shannon.Dempsey@parks.ca.gov>
Cc: Litzky, Rosalind@Parks <Rosalind.Litzky@parks.ca.gov>; Johnson, Cliff <CJohnson@co.humboldt.ca.us>
Subject: RE: Commercial Cannabis Application, Lost Creek Farms, LLC, APN 211-184-006, Apps 10820

Some people who received this message don't often get email from dsutfin1@co.humboldt.ca.us. [Learn why this is important](#)

Hi Shannon,

I took some time to consult with my supervising planner Cliff Johnson and the planning team about canines for these two Lost Creek Farms, LLC projects. Since the application materials, including Operations Plan and subsequent Security Plan, do not include any mention of dogs used in conjunction with the cannabis project we do not have a method to restrict the presence of canines in relation to the cannabis application.

Our intent is to disclose in the staff report we received comments from CA State Parks regarding concerns about loose canines and potential for harassment of wildlife and sensitive receptors, but we have limited capacity to restrict their presence onsite since there is not a clear nexus to the cannabis operation. The Planning Commission may decide to require a condition limiting presence of canines based on the concerns we received, but staff do not have a clear path to simply add a project condition to prohibit canines onsite.

Are you all still compiling a response for us to review and incorporate into the staff report? Today is

the general deadline we set and was just wondering what the disposition of the response might be. I appreciate your time and consideration.

Respectfully,



Devin Sutfin

Associate Planner

[Planning and Building Department](#)

dsutfin1@co.humboldt.ca.us

707.268.3778

From: Sutfin, Devin

Sent: Wednesday, April 26, 2023 10:56 AM

To: Dempsey, Shannon@Parks <Shannon.Dempsey@parks.ca.gov>

Cc: Litzky, Rosalind@Parks <Rosalind.Litzky@parks.ca.gov>

Subject: RE: Commercial Cannabis Application, Lost Creek Farms, LLC, APN 211-184-006, Apps 10820

Hi Shannon,

Pleasure to make your virtual acquaintance. The Security section of the Operations Plan is brief and includes only an indication of a locked gate and security cameras, it is located at the end of the first attachment labeled "10820 Operations Plan." I will consult with my supervising planner Cliff Johnson to see if we are able to condition the project to include any limitations for canines.

Yes, keep me apprised of any comments by May 3, 2023. This should allow us time to incorporate any concerns into the project and conditions of approval, if necessary. We previously included Conditions of Approval disallowing generators or lights until the applicant provides a plan for addressing noise and light, approved by our Planning Division staff, prior to use of lights or generators if/when the project gains final local approval. This was done to address the proximity to NSO habitat and other sensitive receptors nearby.

Thank you for your reply,



Devin Sutfin

Associate Planner

[Planning and Building Department](#)

dsutfin1@co.humboldt.ca.us

707.268.3778

From: Dempsey, Shannon@Parks <Shannon.Dempsey@parks.ca.gov>

Sent: Tuesday, April 25, 2023 8:44 AM

To: Sutfin, Devin <dsutfin1@co.humboldt.ca.us>

Cc: Litzky, Rosalind@Parks <Rosalind.Litzky@parks.ca.gov>

Subject: RE: Commercial Cannabis Application, Lost Creek Farms, LLC, APN 211-184-006, Apps 10820

Caution: This email was sent from an EXTERNAL source. Please take care when clicking links or opening attachments.

Hello Devin,

I'm with State Parks and am helping Roz review cannabis permit applications, #10820 and #10821, for the adjoining properties off Panther Gap road. We did have one concern over free roaming dogs in the area and were wondering if the applicant has a security plan you could share with us? It may be a concern if their security plan includes the use of guard dogs, as we would like to know how they plan to keep their animals on their property.

Additionally, I'm working with our environmental staff to review any recent spotted owl survey results. I hope to have a response for you by May 3 as requested.

Thank you,

Shannon Dempsey
North Coast Redwoods District
California State Parks
Office [\(707\) 445-5344](tel:(707)445-5344)
Mobile [\(707\) 498-8478](tel:(707)498-8478)

From: Litzky, Rosalind@Parks <Rosalind.Litzky@parks.ca.gov>

Sent: Tuesday, April 18, 2023 11:33 AM

To: Dempsey, Shannon@Parks <Shannon.Dempsey@parks.ca.gov>

Subject: FW: Commercial Cannabis Application, Lost Creek Farms, LLC, APN 211-184-006, Apps 10820

Two of Two information.

From: Sutfin, Devin <dsutfin1@co.humboldt.ca.us>

Sent: Friday, April 7, 2023 9:03 AM

To: Litzky, Rosalind@Parks <Rosalind.Litzky@parks.ca.gov>

Subject: RE: Commercial Cannabis Application, Lost Creek Farms, LLC, APN 211-184-006, Apps 10820

You don't often get email from dsutfin1@co.humboldt.ca.us. [Learn why this is important](#)

Hi Ros,

Thank you for making time to speak with me briefly about the above listed project this morning. As per our discussion, we have attached the draft staff report, site plan, and conditions of approval (CoAs). I think these are the most pertinent portions of the project, but please let me know if more detail is needed.

We are currently targeting May 18, 2023 for Planning Commission hearing. My staff report should be

completed and reviewed by my supervising planner by May 3. If we can obtain your feedback about a week before the May 3 due date, we should have ample time to incorporate any potential changes to the staff report.

Thank you for your time this morning. Looking forward to working out any details to ensure the project is protecting natural resources in an appropriate fashion. Keep an eye out for another, very similar email for the adjacent project.

Respectfully,



Devin Sutfin

Planner

[Planning and Building Department](#)

dsutfin1@co.humboldt.ca.us

707.268.3778