

Grochau, Augustus

From: Kamoroff, Corrina@Wildlife <Corrina.Kamoroff@Wildlife.ca.gov>
Sent: Thursday, October 24, 2024 9:05 AM
To: Grochau, Augustus
Cc: Manthorne, David@Wildlife; Johnson, Cliff
Subject: PLN-12088-SP, APN: 108-026-006
Attachments: 1600-2018-0718-R_HUM_MJ Kreider_WaterDiversions_StreamCrossings_LSAAFinal.pdf

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Good Morning,

Please see the comments below regarding the above-referenced project.

Project Number: PLN-12088-SP
Project Name: CannaDreams
APN(s): 108-026-006
CEQA No: CEQA-2017-0879-0000-R1

Project Description

CannaDreams, LLC - Existing 9,500 square feet outdoor

A Special Permit for the continued operation of an existing cannabis cultivation site consisting of 9,500 square feet of outdoor cannabis cultivation in greenhouses and 950 square feet of ancillary nursery space, a Special Permit to reduce the setback to BLM public land, and a Special Permit for reduction of the Streamside Management Area setback to allow for a hydroelectric facility on the onsite stream and for the point of diversion. Irrigation water is sourced from a point of diversion and is subject to forbearance. There will be 171,000 gallons of water storage on the parcel designated for cannabis irrigation and 6,500 gallons reserved for fire suppression. The applicant's estimated annual water use is approximately 88,700 gallons. Drying will occur onsite and other processing will occur offsite at a licensed third-party facility. Power is provided by a solar array with a generator used to supply supplemental power. There will be two employees onsite at peak.

CDFW COMMENTS:

Thank you for referring this application to the California Department of Fish and Wildlife (CDFW) for review and comment. On October 14, 2024, CDFW staff conducted a site inspection at the subject property on Assessor's Parcel Number (APN) 108-026-006. 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-12088-SP. CDFW requests that all comments are incorporated in the final Humboldt County Staff Report.

1. On September 16, 2019, a final Lake and Streambed Alteration Agreement (LSAA, 1600-2018-0011, see attached) was issued for three points of water diversion for domestic and irrigation use, to implement a stream restoration plan, to remove historic water line from a stream channel and to install a culvert. Not all required work was completed, and the LSAA expired on September 16, 2024. The applicant does not have an LSAA to divert water or complete the projects. CDFW requests, as a condition of approval, that the applicant obtains a final LSAA prior to the initiation of cannabis cultivation. Note that water diversion is not permitted without a valid LSAA. CDFW further requests, as a condition of approval, that the applicant

completes the following items listed below by the requested dates, or within two weeks of project approval.

- a. Notify for a LSAA from CDFW by no later than December 15, 2024, and prior to diverting water for this project.
 - b. Complete all required work by October 15, 2026.
2. The proposed project may have a potentially significant adverse effect on biological resources, specifically the Northern Spotted Owl (*Strix occidentalis caurina*; NSO). At least one known NSO Activity Centers occurs within 1.3 miles of the cultivation sites and designated Final Critical Habitat occurs for the NSO occur within 0.25 miles of the cultivation sites (CDFW 2024). CDFW requests that the applicant assume presence of NSO and avoid impacts as determined by a qualified biologist, in consultation with CDFW. CDFW recommends that cannabis cultivation at this location be limited to full sun outdoor methods with no mixed light (artificial light). Additionally, CDFW requests the succeeding measures, as conditions of approval.
 - a. All ground-disturbing activities should be limited to occur outside of the breeding season for the NSO (February 1 through July 9).
 - b. The construction of noise containment/dampening structures for all operation related generators, water pumps and fans. Additionally, CDFW requests that the use of generators is phased out after 2024 and only used as a backup energy source.
 - c. That artificial light used for cannabis cultivation operations (i.e., ancillary nurseries) be fully contained within structures such that no light escapes (e.g., through automated blackout curtains) between 30 minutes prior to sunset and 30 minutes after sunrise to prevent disruption to crepuscular and nocturnal wildlife. CDFW further requests, that security lighting 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 3000 kelvins or less and 3) only placed where needed. CDFW further requests a light attenuation monitoring and management plan for this activity within thirty days, following execution of the final permit.
3. 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.
4. While onsite, CDFW observed unused water line scattered throughout the parcel. CDFW request, as a condition of approval, that all unused waterline is removed and disposed of at a waste management facility.
5. While onsite, CDFW observed uncontained compost associated with cannabis cultivation (at coordinates 40.133494, -124.072567) CDFW requests, as a condition of approval, that the applicant fully contain compost piles onsite.

Thank you for the opportunity to comment on this project.

Corrina Kamoroff
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