

**ATTACHMENT 5**  
**PLN-11966-SP**

**REFERRAL AGENCY COMMENTS AND RECOMMENDATIONS**

The project was sent to the following referral agencies for review and comment. The responses and recommendations are summarized in the table below.

<b>Referral Agency</b>	<b>Response</b>	<b>Recommendation</b>	<b>Location</b>
Ag Commissioner		No Response	
Building Inspection Division		No Response	
County Counsel		No Response	
District Attorney		No Response	
Division Environmental Health	✓	Conditional Approval	<b>Attached</b>
Sheriff		No Response	
Public Works, Land Use Division	✓	Conditional Approval	On File
School District		No Response	
Bridgeville FPD		No Response	
North Coast Unified Air Quality Management District		No Response	
CA Division of Water Rights		No Response	
CA Department of Fish & Wildlife	✓	Comment	<b>Attached</b>
CalFire		No Response	
North Coast Regional Water Quality Control Board		No Response	
Bear River Band of Rohnerville Rancheria	✓	Comment	On file and confidential
Northwest Information Center	✓	Further Study	On file and confidential

PLN-11966-SP Referral Response from Division of Environmental Health 07.15.2022

PLN-11966-SP

Fantastic Gardens...  
A Special Permit f...

STATUS  
> Staff Report  
04/22/2025 by ...

LOCATION  
> None Provided

CONTACT  
> Fantastic Gard...

WORKFLOW  
> 20 total Task  
●...

Workflow History (41)

Comments (13)

Documents (41)

Conditions of Approval (0)

Locks Holds (1)

Address (0)

Owner (1)

Parcel (1)

Contacts (3)

Communications (32)

Consolidated Record



A notice was added to this record on 2021-05-12.

Condition: Severity: Notice  
Total conditions: 1 (Notice: 1)

View notice

Cancel

Help

Task	Due Date	Assigned Date
Environmental Health	07/25/2022	04/06/2022
Assigned to Department	Assigned to	Status
Environmental Health Senior LU	Joey Whittlesey	Approved with Conditions
Action by Department	Action By	Status Date
Environmental Health Senior LU	Joey Whittlesey	07/15/2022
Start Time	End Time	Hours Spent
		0.0
Billable	Overtime	Comments
No	No	Onsite employee occupancy must be supported by an approved onsite wastewater treatment system (OWTS). Seasonal/outdoor cultivation sites may be supported by portable toilets. Applicant must obtain a permit for, and install, and approved OWTS to support onsite housing locations and either install approved OWTS or provide portable toilets to cultivation areas.

## Santos, Steven A

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**From:** Santos, Steven A  
**Sent:** Tuesday, July 25, 2023 10:05 AM  
**To:** Manthorne, David@Wildlife  
**Cc:** Johnson, Cliff; Kamoroff, Corrina@Wildlife  
**Subject:** RE: App: PLN-11966-SP, APN: 210-141-008-000, Fantastic Farms Humboldt LLC

David, thank you for the detailed feedback. I have changed the target hearing date for this project to November 16. I have sent an email to the applicant stating that he needs to contact you as soon as possible to begin addressing the violations. I told him that if he doesn't have a plan in place to address the violations and does not demonstrate good faith engagement with CDFW that I will be unable to recommend approval of his county permit.

Your recommendations (e.g. monofilament netting) will also be incorporated as COAs.

Steven A. Santos  
Senior Planner  
Planning and Building Department  
707.268.3749

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**From:** Manthorne, David@Wildlife <David.Manthorne@wildlife.ca.gov>  
**Sent:** Tuesday, July 25, 2023 9:10 AM  
**To:** Santos, Steven A <sasantos@co.humboldt.ca.us>  
**Cc:** Johnson, Cliff <CJohnson@co.humboldt.ca.us>; Kamoroff, Corrina@Wildlife <Corrina.Kamoroff@Wildlife.ca.gov>  
**Subject:** App: PLN-11966-SP, APN: 210-141-008-000, Fantastic Farms Humboldt LLC

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

Hi Steven and Cliff,  
Please see the comments below regarding this project.

**Project Number:** PLN-11966-SP  
**Project Name:** Fantastic Gardens Humboldt LLC-SP 6,000 ML + 3,500 OD  
**APN(s):** 210-141-008-000

**Project Description:** A Special Permit for 3,500 square feet of existing outdoor and 6,000 square feet of existing mixed light commercial cannabis cultivation. Operations included a 1,000 square foot ancillary nursery with processing occurring off site. Irrigation water is provided by a point of diversion and a rainwater catchment pond. Storage consists for 30,000 gallons in hard tanks plus 150,000 gallons in the pond for a total of 180,000 gallons. The annual water usage is estimated to be 280,000 gallons per year or 26.6 gallons per square foot per year. Power is provided by three generators and there will be up to two employees living in the residence for the operation. The project proposes onsite relocation to move cultivation out of a streamside management area. A Special Permit is also required for development within the streamside management area.

## CDFW COMMENTS:

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

On June 30, 2023, CDFW staff conducted a site inspection at the subject property on Assessor' Parcel Numbers (APN) 210-141-008-000. 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-11966-SP. CDFW requests that all comments are incorporated in the final Humboldt County Staff Report.

- CDFW staff inspected the project on May 10, 2021, as part of a multi-agency inspection conducted under a search warrant issued the Humboldt County Sheriff's Office (HCSO). At the time, The Permittee was cultivating cannabis without the required DCC licensing. While onsite in 2021, CDFW observed violations of Fish and Game Code (FGC) that were not in compliance with the CDFW Lake or Streambed Alteration Agreement (LSA# - 1600-2020-0287-000-R1). Notably, CDFW observed failed stream crossings, ford crossings, and substantial sediment discharge to streams. CDFW issued a Notice of Violation (NOV) to document FGC violations, and to encourage the applicant to cure these violations.
- As of June 30, 2023, no evidence of attempts to address the violations documented in the NOV were observed by CDFW. The Permittee never responded to the NOV request to contact CDFW to minimize impacts on the environment. CDFW again observed failed stream crossings, wet ford crossings, and substantial sediment to streams. CDFW will issue another NOV to the Permittee shortly for non-compliance with Fish and Game Code and non-compliance with the LSA. If HCPD elects to move this project forward, CDFW requests the applicant resolve all of the FGC violations as a condition of project approval prior to cultivating cannabis.
- The Permittee is not in compliance with the LSA. The Permittee has not completed any of the required remediation outlined in the LSA.
- During the site visit conducted on June 30, 2023 CDFW observed monofilament netting that was used during cannabis cultivation operations on the parcel. 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.
- During the site visit conducted on June 30, 2023, CDFW observed three aquatic species (Western Pond Turtle (*Actinemys marmorata*), Rough Skinned Newt (*Taricha granulosa*) and Pacific Tree frog (*Pseudacris regilla*)) inhabiting the pond site which is being used as a Point of Diversion (POD). The Pond POD is not currently included as a project in the Lake or Streambed Alteration Agreement (LSAA) (1600-2020-0287-000-R1). Given that the pond is a wildlife resource, the LSAA should be amended to include the pond site. If HCPD elects to move this project forward, CDFW requests the applicant amends their LSAA to include the pond POD.

Thank you for the opportunity to comment on this project.

David Manthorne  
Senior Environmental Scientist Supervisor  
Habitat Conservation and Planning  
Humboldt/Del Norte LSA Program  
California Department of Fish and Wildlife  
619 Second Street  
Eureka, CA 95501  
(707) 441-5900