

From: [Kamoroff, Corrina@Wildlife](mailto:Kamoroff,Corrina@Wildlife)
To: [Wiles, Derek](mailto:Wiles,Derek)
Cc: [Manthorne, David@Wildlife](mailto:Manthorne,David@Wildlife); [Johnson, Cliff](mailto:Johnson,Cliff)
Subject: PLN-12015-CUP, APN: 218-151-005
Date: Friday, August 23, 2024 11:36:57 AM
Attachments: [1600-2018-0380-R1 HUM MJ Finley Stream Crossings and Water Diversion FinalLSAA.pdf](#)

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Good Morning,

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

Project Number: PLN-12015-CUP

Project Name: Humboldt Headless Chicken Ranch

APN(s): 218-151-005

CEQA No: CEQA-2024-0252-R1

Project Description

Humboldt Headless Chicken Ranch - Existing 36,034 sf; OD 28,420 ML 7,614

Applicant seeks Conditional Use Permit for existing 36,034 square foot (sf) cannabis cultivation operation, of which 28,420 square feet outdoor and 7,614 square feet mixed light. Irrigation water source is a permitted well. Water storage totals 221,000 gallons in six (6) water bladders and fifteen (15) hard tanks. Applicant will construct secondary containment with earthen berms to ensure stability of water bladders. Applicant proposes to process on-site in processing trailers. Power is provided by generators.

CDFW COMMENTS:

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

On August 14, 2024, CDFW staff conducted a site inspection at the subject property on Assessor' Parcel Number (APN) 218-151-005. 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-12015-CUP. CDFW requests that all comments are incorporated in the final Humboldt County Staff Report.

1. A final Lake and Streambed Alteration Agreement (LSAA, 1600-2018-0380-0000-R1, see attached) was issued for one water diversion from an unnamed tributary to Chamise Creek and to upgrade a stream crossing. Work is completed on the stream crossing, but the applicant has not complied with all required reporting measures in the LSAA. CDFW requests, as a condition of approval, that the Applicant/Permittee completes the following items listed below by the specified dates or within two weeks of project approval and achieves and maintains compliance with the LSAA.

- a. Submit Water Diversion Records with all required information for the 2023 water diversion season by March 31, 2024.
 - b. Implement an Invasive Species Management Plan by December 31, 2023, and submit a copy of the monitoring report to CDFW annually.
2. The Biological Resource Assessment completed by SHN dated October 25, 2019, documented Western Pond Turtle (*Emys marmorata*) in the reservoir used for cannabis cultivation irrigation (located on APN: 216-042-002). The reservoir is considered habitat for the Western Pond Turtle and as a result should be included as a project in the LSAA. CDFW requests, as a condition of approval, that the applicant/permittee amends the LSAA to include the reservoir as a project in the LSAA by November 30, 2024.
3. While onsite, CDFW observed sediment discharge to Waters of the State through erosion of a hydrologically connected road that is used to access the cultivation site (at coordinates 40.031986, -123.569940). CDFW requests, as a condition of approval, that the applicant implement a stormwater plan (site management plan) to direct surface flow away from streams to mitigate the existing threats of sediment delivery.
4. While onsite, CDFW observed unused metal cages that were once used for cannabis cultivation (at coordinates 40.031162, -123.569883). CDFW requests, as a condition of approval that the unused cages are either properly stored to minimize the risk of wildlife entrapment or disposed of at a waste management facility.
5. While onsite, CDFW observed uncontained compost associated with cannabis cultivation (at coordinates 40.030769, -123.568087). CDFW requests, as a condition of approval, that the applicant fully contain compost piles onsite.
6. 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.
7. The project description located on Accela appears to be inaccurate and does not reflect what is proposed on site. CDFW requests, prior to project approval, that the project description is revised to accurately reflect what is proposed onsite.

Thank you for the opportunity to comment on this project.

Corrina Kamoroff

Environmental Scientist

Habitat Conservation and Planning

Humboldt/Del Norte LSA Program

California Department of Fish and Wildlife

619 Second Street
Eureka, CA 95501