


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
Ag Commissioner		No Response	
Building Inspection Division		No Response	
County Counsel		No Response	
District Attorney		No Response	
Division Environmental Health	✓	Conditional Approval	Attached
Sheriff	✓	Approval	On File
Public Works, Land Use Division	✓	Approval	On File
CalTrans		No response	
Fire Protection District		No response	
North Coast Unified Air Quality Management District		No Response	
School District		No Response	
CA Division of Water Rights		No Response	
California Department of Fish & Wildlife	✓	Comment	Attached
CalFire	✓	Approval	Attached
North Coast Regional Water Quality Control Board		No Response	
Bear River Band	✓	Conditional Approval	On file and confidential
Northwest Information Center	✓	Further Study	On file and confidential

10656 DEH Referral Comments March 4, 2019

PLN-10656-... 
STATUS **LOCATION** **CONTACT** **WORKFLOW**
 CaliDro LLC - CU... > Staff Report > None Provided > CaliDro LLC > 20 total Task
 A Conditional Us... 01/18/2023 b... ●...

- Summary
- Project Description
- Workflow
- 1 Referral Assignments
- 2 Planning Information
- 3 GP / Zoning Information
- 4 CEQA
- 5 Cannabis
- Annual Compliance
- Grant Tracking



A notice was added to this record on 2021-08-17.
 Condition: Parcel Status : 208-221-014 LP 1:1 Severity: Notice
 Total conditions: 2 (Notice: 2)

[View notice](#)

Task	Due Date	Assigned Date
Environmental Health	03/04/2019	02/15/2019
Assigned to Department	Assigned to	Status
Environmental Health	LandUse1 DEH	Approved with Conditions
Action by Department	Action By	Status Date
Environmental Health	Ben Dolf	02/22/2019
Start Time	End Time	Hours Spent
		0.0
Billable	Overtime	Comments
No	No	Seasonal cultivation without processing may use portable toilets to serve the operation. Permittee shall provide portable toilet(s) to cultivation areas, meeting appropriate setbacks per Humboldt County Code, or install a permitted onsite wastewater treatment system associated with a permitted structure.

Santos, Steven A

From: Manthorne, David@Wildlife <David.Manthorne@wildlife.ca.gov>
Sent: Thursday, June 22, 2023 12:46 PM
To: Santos, Steven A
Cc: Johnson, Cliff
Subject: PLN-10656-CUP
Attachments: NOV_080619_HUM_208-221-009_MJ_Fleming Meenan_Mad River.pdf; NOV_062420_HUM_208-221-014_MJ_Drosihn_Mad River.pdf; EPIMS-HUM-14664-R1_HUM_Meenan_Remediation_Final_and_NOE.pdf

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

Hi Steven,
Please see the comments below regarding the above referenced project.

PLN-10656-CUP
CaliDro LLC
APN: 208-221-014

PROJECT DESCRIPTION

A Conditional Use Permit for 17,000 square feet of existing mixed-light commercial cannabis cultivation supported by a 1,700 square foot ancillary nursery. Irrigation water is provided by a well located on adjacent parcel 208-221-009. Estimated annual water usage is 185,000 gallons supported by 180,000 gallons of water storage consisting of a 30,000 gallon pond and 150,000 gallons of hard tanks. Onsite processing is proposed and electricity is sourced from two generators. The project includes onsite relocation of cultivation and restoration.

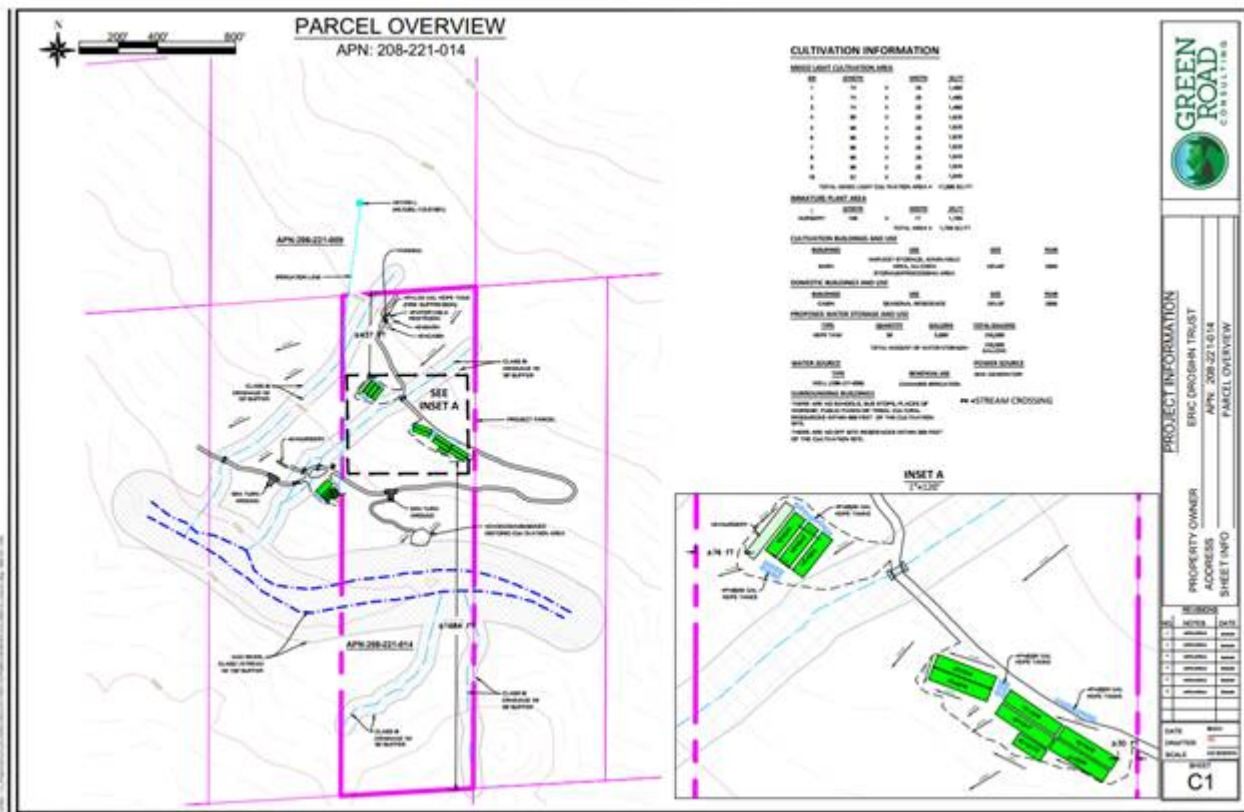
CDFW COMMENTS

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

- The Project Description states that irrigation water will be provided by a well located on APN 208-221-009. Irrigation water for PLN-10863-CUP on the neighboring parcel (APN 208-221-013) is also proposed to be sourced from a well on APN 208-221-009 (well parcel) plus the addition of new water storage. It is not clear how much water storage exists on site, but CDFW believes additional hard tank storage will be required to achieve the 150,000 gallons proposed in the project description.
- This parcel was visited under a search warrant inspection on June 24, 2020 for unauthorized cannabis cultivation. During the project inspection, the applicant was found diverting surface water during the forbearance period. CDFW requests that the applicant demonstrate that adequate water storage is in place prior to the allowance to cultivate cannabis.
- The well parcel (208-221-009) was inspected by CDFW staff on August 6, 2019 as part of a search warrant inspection to abate unauthorized cannabis cultivation. During the search warrant, CDFW staff identified 10 violations of Fish and Game Code (FGC) on the parcel. Following the search warrant and issuance of the

Notice of Violation (NOV, see attached), the property owner notified CDFW to obtain an LSA (HUM-14664) to remediate the site. To date, no remediation has occurred. CDFW is concerned that sourcing water from the groundwater well on this parcel will further disincentivize the Permittee to remediate the violations of FGC. Further, appurtenant roads to access the groundwater well require crossing streams with inadequate infrastructure and stream diversions. Use of these roads will further degrade the unimproved stream crossings, increasing sediment discharges to streams. CDFW requests that the prior to allowance of water sourcing from the well on the well property, that the site be remediated consistent with the LSA. To date, the Permittee has not complied with the LSA and has not submitted any of the required reporting.

- The northwestern cultivation site (GH1-3 and the nursery) includes unauthorized grading that protrudes into the streamside management area (SMA). There are existing threats of sediment and nutrient discharges from this greenhouse complex due to location of the graded area, over-steepened slopes, surface drainage, and proximity to the stream. CDFW requests the grading footprint be modified to remove graded fill from the SMA. CDFW further requests that a stormwater plan be developed to directs surface flow away from the stream to minimize the delivery of nutrients and sediment to the stream.
- An Environmental Superiority Analysis (ESA) was submitted for this project on October 12, 2022. This analysis recommends removal and relocation of the site, but includes no maps, no specific information on the area to be relocated, and no specific information on the area where the relocated cultivation will be placed. Based on the site map provided and included below, CDFW believes that the ESA refers to the lowermost site, proposed for relocation. While CDFW is not opposed to removal of the lowermost site, it should be clarified where the relocation will occur, and if adequate space is available to relocate cultivation without additional grading. If additional grading is required. These details should be provided for proper assessment of the relocation proposal.



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

We have reviewed the above application and recommend the following (please check one):

The Department has no comment at this time.

Suggested conditions attached.

Applicant needs to submit additional information. List of Items attached.

Recommend denial.

Other comments.

Date:

Name:

Forester Comments:

Date:

Name:

Battalion Chief Comments:

Summary: