

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	✓	Conditional Approval	Attached
County Counsel		No Response	
District Attorney		No Response	
Division Environmental Health	✓	Conditional Approval	Attached
Sheriff	✓	Approval	On file
Public Works, Land Use Division	✓	Conditional Approval	Attached
Briceland FPD		No Response	
School District		No Response	
CA Division of Water Rights	✓	Approval	Attached
California Department of Fish & Wildlife	✓	Comment	Attached
CalFire	✓	No Comment	Attached
North Coast Regional Water Quality Control Board		No Response	
Bear River Band	✓	Conditional Approval	On file and confidential
Intertribal Sinkyone Wilderness Council		No Response	
Northwest Information Center	✓	Further Study	On file and confidential

Building Inspection Division Referral Response 4/19/2020

PLN-12795-...  **STATUS** **LOCATION** **CONTACT** **WORKFLOW**
Lost Coast Cann... > Hearing > None Provid... > Lost Coast C... > 16 total Task
An application f... 12/27/2023 ... 

Summary

Project Description

Workflow

1 Referral Assignments

2 Planning Information

3 GP / Zoning Information

4 CEQA

Cancel

Help

Task
Building Inspections

Due Date
04/19/2020

Assigned Date

Assigned to Department
Building Department

Assigned to

Status
Approved with Conditions

Action by Department
Building Department

Action By
Micah Mathieson

Status Date
04/09/2020

Start Time

End Time

Hours Spent
0.0

Billable
No

Overtime
No

Comments
4/9/2020 MM
Site plan appears accurate
Revise an resubmit plot plan to show
ground mounted solar array.
Revise an resubmit plot plan to show SRA
firetruck turnaround on driveway at house.
Revise an resubmit plot plan to show SRA
turnouts on drive way from gate to house.

DEH Referral Response 01.03.2020

PLN-12795-CUP 

Lost Coast Cannabi...
An application for ...

STATUS

> Hearing
12/27/2023 by L...

LOCATION

> None Provided

CONTACT

> Lost Coast Can...

WORKFLOW

> 16 total Task
● 8 completed ...

Summary

Project Description

Workflow

1 Referral Assignments

2 Planning Information

3 GP / Zoning Information

4 CEQA

5 Cannabis

Annual Compliance

Grant Tracking

Project Tracking

6 Referral Task Log (2)

Fee (17)

Cancel

Help

Task

Environmental Health

Due Date

01/15/2020

Assigned Date

01/02/2020

Assigned to Department

Environmental Health

Assigned to

Ben Dolf

Status

Approved with Conditions

Action by Department

Environmental Health

Action By

Ben Dolf

Status Date

01/03/2020

Start Time

End Time

Hours Spent

0.0

Billable

No

Overtime

No

Comments

Applicant must demonstrate that a properly functioning onsite wastewater treatment system serves the operation. This can be accomplished by either installing a new, permitted septic system; or by providing DEH with an assessment of the existing system performed by a qualified professional engineer, geologist, soil scientist, or REHS that certifies that the existing system complies with the State RWQCB definition of a Tier 0 system - not impairing groundwater or surface water resources.

Time Tracking Start Date

Est. Completion Date

In Possession Time (hrs)

Display E-mail Address in ACA

No

☒ Display Comment in ACA

Comment Display in ACA

☒ All ACA Users

☒ Record Creator

☒ Licensed Professional

☒ Contact

☒ Owner

Estimated Hours

0.0

Action

Updated

Workflow Calendar



DEPARTMENT OF PUBLIC WORKS
COUNTY OF HUMBOLDT
MAILING ADDRESS: 1106 SECOND STREET, EUREKA, CA 95501-0579
AREA CODE 707

ON-LINE
WEB: CO.HUMBOLDT.CA.US

PUBLIC WORKS BUILDING
SECOND & L ST., EUREKA
FAX 445-7409
ADMINISTRATION 445-7491
BUSINESS 445-7652
ENGINEERING 445-7377
FACILITY MANAGEMENT 445-7493

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

CLARK COMPLEX
HARRIS & H ST., EUREKA
FAX 445-7388
LAND USE 445-7205

LAND USE DIVISION INTEROFFICE MEMORANDUM

TO: Liza Welsh, Planner, Planning & Building Department

FROM: Kenneth M. Freed, Assistant Engineer

DATE: 01/10/2020

RE:

Applicant Name	LOST COAST CANNABIS LLC
APN	220-272-022
APPS#	PLN-12795-CUP

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"**

Note: Prior to requesting an applicant to submit a road evaluation report, verify if the project is exempt from meeting road system performance standards under CCLUO v2.0 sections 313-55.4.6.5.1 and 314-55.4.6.5.1, even if this box is checked.

No re-refer is required.

*Note: Exhibits are attached as necessary.

Additional comments/notes:

Applicant has submitted a road evaluation report, dated 06/01/2018, with Part A – Box 2 checked, certifying that the road is equivalent to a road Category 4 standard.

// END //

Exhibit "A"

Public Works Recommended Conditions of Approval

(All checked boxes apply)

APPS # 12795

- ☒ 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: (AT COUNTY MAINTAINED RD)

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 //



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT
CURRENT PLANNING
3015 H STREET, EUREKA, CA 95501 ~ PHONE (707) 445-7245

12/31/2019

Project Referred To The Following Agencies:

AG Commissioner, County Counsel, District Attorney, Environmental Health, Sheriff, PW Land Use, FPD: Briceland, RWQCB, School District: Southern Humboldt JUSD, Cal Fish & Wildlife, CalFire, CA Division of Water Rights, Bear River Band, Intertribal Sinkyone Wilderness Council, NWIC

Applicant Name **Key Parcel Number** 220-272-022-000

Application (APPS#) PLN-12795-CUP **Assigned Planner** Liza Welsh 707-268-3718

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: 1/15/2020

Planning Clerk
County of Humboldt Planning and Building Department
3015 H Street
Eureka, CA 95501
Email: PlanningClerk@co.humboldt.ca.us **Fax:** (707) 268 - 3792

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

- ☒ Recommend Approval. The department has no comment at this time.
- ☐ Recommend Conditional Approval. Suggested conditions attached.
- ☐ Applicant needs to submit additional information. List of items attached.
- ☐ Recommend Denial. Attach reasons for recommended denial.

Other Comments: _____

DATE: 2/13/2020 PRINT NAME: _____

Samuel Warner

Santos, Steven A

From: Santos, Steven A
Sent: Monday, October 30, 2023 11:52 AM
To: Kamoroff, Corrina@Wildlife
Cc: Johnson, Cliff; Manthorne, David@Wildlife
Subject: RE: App: PLN-12795-CUP, APN: 220-272-022-000

Thank you for the comments on this project. The project COAs will include standard conditions such as:

- Prohibition on monofilament
- Compliance with the LSAA
- A forbearance period of April 1 to November 15 per the LSAA. (This forbearance period will be used because it is more restrictive than what is required by the Water Board)
- Water meters and log books
- Water storage consistent with forbearance and estimate annual irrigation water usage

The applicant is currently updating their site plan and operations plan so I forwarded your comments to inform that exercise particularly on the question of water storage. Current information indicate an estimated annual irrigation water budget of 104,300 gallons with some water usage occurring outside the forbearance period. Staff review and recommendations for the project will ensure that adequate water storage will be provided commensurate with annual irrigation water needs and monthly water usage as described in the project operations plan.

From: Kamoroff, Corrina@Wildlife <Corrina.Kamoroff@Wildlife.ca.gov>
Sent: Wednesday, October 25, 2023 8:02 AM
To: Santos, Steven A <sasantos@co.humboldt.ca.us>
Cc: Johnson, Cliff <CJohnson@co.humboldt.ca.us>; Manthorne, David@Wildlife <David.Manthorne@wildlife.ca.gov>
Subject: App: PLN-12795-CUP, APN: 220-272-022-000

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

Good Morning,

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

Project Number: PLN-12795-CUP
Project Name: Lost Coast Cannabis, LLC
APN(s): 220-272-022-000

Project Description

An application for 18,792 square feet of existing outdoor cannabis cultivation. Water for irrigation is sourced from a point of diversion located on adjacent APN 220-311-004. Water storage consists of 10 hard sided water storage tanks totaling 52,500-gallons. Processing activities including trimming and packaging will occur onsite within an 820-square foot building. Power is provided by a generator.

CDFW COMMENTS:

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

On October 12, 2023, CDFW staff conducted a site inspection at the subject property on Assessor' Parcel Number (APN) 220-272-022-000 and 220-311-004. 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-12795-CUP. CDFW requests that all comments are incorporated in the final Humboldt County Staff Report.

- The proposed project is located within the Redwood Creek Watershed. The Redwood Creek Watershed supports populations of coho salmon, chinook salmon, and steelhead trout. Low flow studies conducted in the watershed demonstrate that water withdrawals by private landowners for both domestic and irrigation use have led to significant reductions in streamflow and have negative impacts to the watershed and sensitive aquatic species. Having private landowners increase water storage and participate in a forbearance program is a critical step to improving stream conditions during the dry season.
- A final LSAA (EPIMS-HUM-22388-R1C) was issued to the applicant for a Point of Diversion (POD) from an unnamed tributary to Seeley Creek for domestic use and irrigation. As per the LSAA, the permittee is required to adhere to a seasonal forbearance period for Cannabis Irrigation from April 1st through November 15th of each year. On October 12, 2023, CDFW observed that the applicant had a total of 55,000 gallons of water storage on site. Additionally, CDFW observed that the water tanks were approximately 15% full, holding an estimated 8,500 gallons of water. The Water Management Plan (see attached) submitted by the applicant as part of the LSAA, states that 175,000 gallons of water will be stored on site. Until the applicant has 175,000 gallons of water storage on site, CDFW requests, as a condition of project approval, that the allowed square footage of cannabis cultivation is limited to a prorated proportion based on the amount of water storage currently on site.
- As agreed upon in the LSAA, the applicant is required to forbear for cannabis irrigation from April 1st through November 15th of each year. The applicant is also required to demonstrate compliance with the LSAA on site. To demonstrate compliance with the LSAA, the applicant is required to have appropriate water metering and an onsite water monitoring logbook. The onsite water monitoring logbook must include written records and photo documentation that reports the date(s) the diversion occurred, the amount of water diverted from the POD, the amount of water used per week for domestic purposes, and the amount of water used per week for cannabis cultivation separated out from the amount of water used for other water uses. On October 12, 2023, CDFW observed water meters on site, but did not see an onsite water-use logbook, and the applicant has not submitted any water monitoring reports to CDFW. Additionally, the observed amount of water storage on site (55,000 gallons) is substantially below the required amount (175,000 gallons) of water storage needed to both irrigate and forbear. As a result, the applicant is out of compliance with the LSAA. CDFW requests, as a condition of project approval, that the applicant achieves compliance with the LSAA.
- On October 12, 2023, CDFW observed monofilament netting that was used during cannabis cultivation operations. 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.

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

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: