



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT
CANNABIS SERVICES DIVISION

3015 H Street Eureka CA 95501
Fax: (707) 268-3792 Phone: (707) 445-7541

April 26, 2018

Two Trees Botanicals LLC
Jaesen Kanter
P.O. Box 2343
Redway, CA 95560

RE: Permit Application No. 12451, APN 220-311-005

Dear Jaesen Kanter,

An interim permit was issued on April 13, 2018, for 9,040 square feet of existing outdoor cultivation. The County issued the interim permit for this amount based on analysis of available imagery at the time of verification.

After review and referral, the application submittal and supplemental materials did not contain all of the required information requested in our August 3, 2017 incomplete letter. The following information is required in order to continue processing your permit application. **We request that these items be submitted within 30 days to ensure we are able to process your permit to decision before your Interim Permit expires on July 1, 2018.**

Additionally, we have determined that your application for a commercial wholesale or retail nursery cannot be accepted for processing due to inconsistent zoning per Humboldt County Code Section 314-55.4.58.7 known as the Commercial Medical Marijuana Land Use Ordinance (CMMLUO). Your parcel is zoned Forestry Recreation (FR). As such, our Department cannot make consistency findings for approval between your proposal and the provisions of the referenced CMMLUO.

Below is listed the information we need to continue processing this permit application:

1. Documentation of cultivation activities occurring prior to January 1, 2016, and notate the respective square footage calculations for each individual cultivation area.
2. \$30 to Bear River Band THPO for their review.
3. Copy of current deed for the property where commercial activity will occur.
4. Road Evaluation Report (enclosed) and route map from the publicly maintained road to the operation site.
5. * Update Cultivation and Operations Plan to include the following:
 - a) Description of the irrigation water use addressing all of the following areas:
 - Water source(s) – elaborate on use of Spring diversion and/or confirm catchment pond is only water source and provide documentation the pond is filled with rainwater only and not hydrologically connected (to spring). If it is connected to the spring be prepared to obtain appropriate permits from California Department of Fish and Wildlife as a condition of approval.

- Type, location and capacity of existing and proposed water storage – correct inconsistencies between the Site Plan and Cultivation and Operations Plan.
 - Method of irrigation – sufficient info provided.
 - Projected water usage on a daily or monthly basis; and on an annual basis – please provide monthly use at a minimum.
- b) Description of site drainage, including runoff and erosion control measures – elaborate on site characteristics such as slope percentage and slope characteristics.
 - c) Detail of measures taken to ensure protection of watershed and nearby habitat – elaborate.
 - d) Protocols for proper storage and use of fertilizers, pesticides, and other regulated products utilized – Show location on site plan.
 - e) Description of cultivation activities – please elaborate on number of cultivation areas, their type (e.g. full-sun outdoor, greenhouse, ancillary propagation area etc.), and size in square feet.
 - f) Processing Plan – please elaborate on offsite processing location or state product will be processed at a licensed facility.
 - g) Schedule of activities during each month of the growing and harvesting season - it is recommended to use a table to describe monthly activities, especially when multiple cycles are done using light deprivation methods.
 - h) Projected generator use, and
 - For all generators provide noise levels in decibels (dB), and any noise reduction provided for conformance to Humboldt County Code Section 314-55.4.11(o)
 - You identified solar as your primary power source. Please identify location on site plan.
 - i) Security Plan – sufficient info provided.
6. *Update Site Plan of entire parcel showing:
- a) Property Owner's name and APN.
 - b) Location and width of easements.
 - c) Access road.
 - d) Location and area of cultivation or commercial activity – Your greenhouse nursery may be used for ancillary propagation activities only. Please notate sizes of outdoor and green house cultivation areas.
 - e) Setbacks of cultivation areas from property lines.
 - f) Buildings labeled as to type and date of construction including whether they will be used for any cultivation or processing activity.
 - g) Water storage structures labeled as to type, capacity, and date of construction.
 - h) Spring water diversion.
 - i) Septic/Sewer System Location.
 - j) Dimensions showing 600 square feet around the cultivation site, including notations describing distance from nearby schools, school bus stops, places of worship, public parks, Tribal Cultural Resources, and off-site residences within 300 feet. If none of these features are nearby, then a notation on the site plan indicating as such.
7. Pursuant to Humboldt County Code Section 312-11.2, *"Development permits shall be issued only for a lot that was created in compliance with all applicable state and local subdivision regulations."* While our office is in the process of completing this review for your parcel, it may be necessary for you to submit additional information in order to determine how the

property was created in its current configuration. If additional information is needed our office will contact you.

8. Any needed information or documentation to demonstrate that the project complies with the terms and conditions of any applicable permit and/or subdivision map that was previously approved, and any associated mitigation measures [Reference HCC §312-2.4.1.2].
9. If on-site relocation of existing cultivation is part of the proposed project, provide a Remediation Plan report prepared by a qualified professional (e.g. biologist, hydrologist, engineer etc.) demonstrating that the new site is environmentally superior to the present condition and describing steps necessary to abate existing environmental harm at the existing cultivation site. If the relocation occurred after January 1, 2016, include an explanation as to why this took place prior to the permit or clearance required under the CMMLUO being obtained.

** In order to ensure accurate review and timely processing of your application, please ensure the Cultivation and Operations Plan and Site Plan are consistent with each other. I recommend you use the numbered items as your outline for the Cultivation and Operations Plan (i.e. numbered items are their own paragraphs or titled sections).*

Note: The items listed below to are not required to advance the project to the referral phase. The applicant is not, however, relieved of satisfying this requirement as a condition of approval.

- Completed copy of the Notice of Intent and Monitoring Self-Certification and other documents filed with the North Coast Regional Water Quality Board – the copy previously submitted appears to be a draft.
- Completed copy of the statement of water diversion, or other permit, license or registration filed with the State Water Resources Control Board, Division of Water Rights – the copy previously submitted appears to be a draft.
- Completed copy of Streambed Alteration Permit obtained from the Department of Fish and Wildlife– the copy previously submitted appears to be a draft.

Without this requested information the Department is unable to send your project to Referrals and fully evaluate it for compliance with the findings specified in Humboldt County Code Sections 312-1.1.2 and 312-17 et seq., and the California Environmental Quality Act (CEQA). Until this additional information is received we must suspend further evaluation of your project application.

Per Humboldt County Code Section 312-6.1.4 where the Department has determined that an application lacks the information necessary to demonstrate its conformance with the required findings and requests supplemental information, the applicant may disagree and may request, in writing, that the application be processed to the designated Hearing Officer as submitted. In these cases, upon receipt of the written request, the Department will schedule the application before the Hearing Officer within 30 working days. However, be aware that in the absence of this evidence it would be extremely difficult for the Department to make a recommendation other than denial of the project.

Unless it is withdrawn, the Department must act on your application. For this reason, if you do not submit the requested materials or a request for hearing within 30 days of the date of this letter, we will forward your projects to Referrals begin scheduling your project for a hearing. This could result in the denial of your application and the inability to secure a State license under the Medical and Adult Use Cannabis Regulation and Safety Act (MAUCRSA).

Please Note: The project has been issued an interim permit for existing cultivation and is therefore a priority to process to decision before the interim expires. Please respond as soon as possible to continue the permit process. The Interim Permit authorizes the applicant to seek [State](#) licensure and continue operations until completion of the local permit review process.

Please accumulate all requested material and submit as **one complete package** and submit these items to the Planning Department during regular business hours. When submitting these items **please include the Application Number, Assessor's Parcel Number (APN)** and Attn: Caitlin Castellano to ensure an expeditious review.

Unless operating subject to a valid Interim Permit issued by the County, the filing of this application does not authorize the applicant to engage in any new commercial cannabis cultivation, processing, manufacture or distribution activity. No such activity shall commence until the application has been processed to decision and all requisite clearances, permits and/or licenses have been secured.

If you have questions about this letter, please contact me at ccastellano1@co.humboldt.ca.us or at 707-268-3731.

Sincerely,



Caitlin Castellano, Planner
Planning and Building Department, Current Planning Division

Attachments:
8/3/17 Incomplete Letter
Road Evaluation Report
OnTrack Customer Portal



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT

3015 H Street • Eureka CA 95501
Phone: (707) 445-7541 • Fax: (707) 268-3792

12/21/2018

Two Trees Botanicals, LLC
Jaesen Kanter
PO Box 2343
Redway, CA 95560

RE: Extension of Zoning Clearance Certificate for Interim Permit
Application No.PLN-12451-SP; Parcel No.: 220-311-005-000

The 2018 Zoning Clearance Certificate (ZCC) for an Interim Permit for existing cannabis cultivation associated with your ongoing application under the Humboldt County Commercial Medical Marijuana Land Use Ordinance (CMMLUO) has NOT been approved for extension and will **NOT be continued into 2019.**

To legally cultivate cannabis in Humboldt County, you must have both a valid County Cultivation Permit and a license issued by the State of California. In addition you were required to have paid Measure S taxes to the County of Humboldt; and to have provided proof of enrollment/training in the California Cannabis Track-and-Trace (CCTT) System. Our records show that you have not completed these required actions.

The compliance agreement which you signed stated that you would comply with all of these provisions and that if the terms of the compliance agreement were not complied with the Interim Permit would be revoked or in this case not extended. Your 2017 cannabis cultivation taxes have not been paid, and/or you have not applied for or obtained the required temporary state license for 2019. The consequence of this action is that you do not have a permit to cultivate cannabis in Humboldt County.

Cultivation sites not in compliance with Humboldt County Code cannot be approved. Cultivation on the subject property after December 31, 2018 is a violation of Humboldt County Regulations. The only path to legal cultivation associated with this application is to obtain approval of the actual permit. We strongly encourage you to contact this Department as soon as possible to determine what steps need to be taken to receive approval of the permit.

Sincerely,

John H. Ford, Director
Planning and Building Department



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT
CANNABIS SERVICES DIVISION

3015 H Street Eureka CA 95501
Fax: (707) 268-3792 Phone: (707) 445-7541

April 4, 2019

Two Trees Botanicals, LLC
Attn: Jaesen Kanter
PO Box 2324
Redway, CA 95560

RE: Permit Application No. 12451

APN: 220-311-005

Case Type: SP

Dear Jaesen Kanter:

Thank you for your continued efforts to obtain approval of a commercial cannabis permit for 9,040 square feet of existing outdoor cannabis cultivation. Prior correspondence regarding the project has included incomplete letters dated 2/9/17, 5/16/18 and a pending withdrawal notice dated 8/16/17, as well as a meeting with Isaac Hansen at the front counter of the Humboldt County Planning and Building Department on 8/10/18. Additional application materials have been received, including an updated operations plan and site plan on 9/3/18, and the application was issued/became eligible for an interim permit on 4/13/18 which subsequently expired on 12/31/19. Unfortunately, after review the application submittal was found not to contain all of the required information and we are unable to move the permit forward at this time.

Listed below are the actions you must take for staff to continue processing this permit application:

1. Submit a revised Operations Plan that includes the following additions/edits:
 - o Number of individuals required for operations both full time and seasonally;
 - o The operations plan indicates processing activities such as trimming will occur at a facility in Oakland, the site plan however, depicts a proposed processing facility onsite, please clarify and update relevant documents to ensure consistency throughout.
2. Submit a revised Site Plan that includes the following additions/edits:
 - o Easements (if applicable – if not, include a note on the map as such);
 - o Property Owner's name and APN ("Prime Harvest, LLC");
 - o Identify both access roads (Briceland Rd and Perry meadow Ln) currently only Perry Meadow Ln is identified;
 - o Buildings labeled as to type and date of construction including whether they will be used for any cultivation or processing activity;
 - o Water storage structures labeled as to type, capacity, and date of construction;
 - o Dimensions showing 600 feet around the cultivation site, including notations describing distance from nearby schools, school bus stops, places of worship, public parks, Tribal Cultural Resources (if none are present, include a note saying as such);
3. Submit a copy of a Water Resources Protection Plan (WRPP) or Site Management Plan prepared for the project and submitted to the State Water Resources Control Board, or a letter from a qualified professional indicating that one is being prepared.
4. Since your project includes a point of diversion from a stream or spring for cannabis cultivation, submit a copy of a completed Lake and Streambed Alteration notification form (found online at <https://www.wildlife.ca.gov/Conservation/LSA/Notify-CDFW>). If you

have a completed LSAA, or a letter from a qualified professional indicating that one is being prepared, please submit a copy.

5. Submit a route map showing which roads are used to access the operations area from the nearest major publicly maintained road.
6. Submit a completed Road Evaluation Report (enclosed). If selecting "Box 2", include evidence, such as photos or other documentation, justifying that determination.
7. Submit the Creation Deed for the parcel that comprises APN 220-311-005, a letter requesting this item was sent to the Agent, Property owner, and Applicant on 8/6/19. This item is essential in performing a parcel status check for the above referenced APN.

Be advised, because a portion your source of water for cultivation and associated activities is a surface water diversion, forbearance will be required pursuant to Humboldt County Code Section 314-55.4.11(l). Proof of adequate water storage will need to be submitted upon implementation, or completion of project(s). Do not engage in grading, conversion of timberland, or any land disturbance activities until all requisite clearances, permits and/or licenses have been secured.

Pursuant to Humboldt County Code (HCC) Section 312-11.2, *"Development permits shall be issued only for a lot that was created in compliance with all applicable state and local subdivision regulations."* While our office is in the process of completing this review for your parcel, it may be necessary for you to submit additional information In order to determine how the property was created in its current configuration. If additional information is needed our office will contact you. As requested by item #7, please provide a "Creation Deed."

County staff will conduct a review of previous land use actions that have been approved on the subject parcel(s) to ensure that, "The proposed development complies with the terms and conditions of any applicable permit and/or subdivision map that was previously approved for such development" (HCC §312-2.4.1.2). If a relevant project is found and additional information is needed, our office will contact you.

Please keep in mind, additional information may be requested once the project is reviewed by State and local agencies during the referral stage of the process. The Department cannot make the required findings specified in Humboldt County Code Sections 312-1.1.2 and 312-17 et seq., and the California Environmental Quality Act (CEQA) based on the information submitted to date. In order for the Department to further evaluate this project for compliance, the additional requested information must be submitted.

Unless it is withdrawn, the Department must act on your application. For this reason, if you do not submit the requested materials or a request for hearing within 180 days (6 months) of the date of this letter, we will begin scheduling your project for a hearing. This could result in the denial of your application and the inability to secure a State license under the Medical and Adult Use Cannabis Regulation and Safety Act (MAUCRSA).

Once you have assembled all the requested materials listed in this letter, please submit these items along with this letter as a complete package to the contact listed below during regular business hours. In order to devote our time to applications that are fully complete and ready to move forward, the County must strictly adhere to our policy of not accepting incomplete or individual submittals of required information. **All required items must be submitted as a single package, in order for planning staff to accept them at the counter or via email.** We appreciate your understanding and cooperation in this matter, as we work diligently to keep forward progress of cannabis permitting.

Unless operating subject to a valid Interim Permit issued by the County, please remember that the filing of a permit application does not authorize the applicant to engage in any new commercial marijuana cultivation, processing, manufacture or distribution activity. No such activity shall commence until the application has been processed to decision and all requisite clearances, permits and/or licenses have been secured. If you have questions about this letter, please contact Max Hilken at 707-441-2623.

Sincerely,

Max Hilken

Max Hilken
Cannabis Services Division
Vendorlaco2@co.humboldt.ca.us

Attachments
Road Evaluation Report



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT
CANNABIS SERVICES DIVISION

3015 H Street Eureka CA 95501
Fax: (707) 268-3792 Phone: (707) 445-7541

April 28, 2021

Two Trees Botanicals, LLC
Attn: Jaesen Kanter
PO Box 2324
Redway, CA 95560

RE: Permit Application No. 12451

APN: 220-311-005

Case Type: SP

Dear Jaesen Kanter:

Thank you for your continued efforts to obtain approval of a commercial cannabis permit for 9,040 square feet of existing outdoor cannabis cultivation. Unfortunately, after review of the application the submittal was found not to contain all of the required information and we are unable to move the permit forward at this time.

Listed below are the actions you must take for staff to continue processing this permit application:

1. Submit a revised Site Plan that includes the following additions/edits:
 - o Easements (if applicable – if not, include a note on the map as such);
 - o Property Owner's name and APN ("Prime Harvest, LLC");
 - o Identify both access roads (Briceland Rd and Perry meadow Ln) currently only Perry Meadow Ln is identified;
 - o Dimensions of each structure;
 - o Buildings labeled as to type and date of construction including whether they will be used for any cultivation or processing activity;
 - o Location of ponds, well, and points of diversion;
 - o Water storage structures labeled as to type, capacity, and date of construction;
 - o Dimensions showing 600 feet around the cultivation site, including notations describing distance from nearby schools, school bus stops, places of worship, public parks, Tribal Cultural Resources (if none are present, include a note saying as such);
 - o A nursery that does not exceed 904 square-feet (10% cultivation area).
2. Submit a copy of a Water Resources Protection Plan (WRPP) or Site Management Plan prepared for the project and submitted to the State Water Resources Control Board, or a letter from a qualified professional indicating that one is being prepared.
3. Since your project includes a point of diversion from a stream or spring for cannabis cultivation, submit a copy of a completed Lake and Streambed Alteration notification form (found online at <https://www.wildlife.ca.gov/Conservation/LSA/Notify-CDFW>). If you have a completed LSAA, or a letter from a qualified professional indicating that one is being prepared, please submit a copy.
4. If you intend to use the onsite well for irrigation purposes, a well log is required;
5. Submit a route map showing which roads are used to access the operations area from the nearest major publicly maintained road.
6. Submit a completed Road Evaluation Report (enclosed). If selecting "Box 2", include evidence, such as photos or other documentation, justifying that determination.

7. Manufacturing facilities, commercial nurseries, and wholesale distribution facilities are not permitted in the FR Zone under the CMMLUO 55.4.8.5. Please remove this proposal from your Cultivation and Operations Plan. If you would like to pursue the manufacturing facility you will have to submit a new application under the CCLUO.

Be advised, because a portion your source of water for cultivation and associated activities is a surface water diversion, forbearance will be required pursuant to Humboldt County Code Section 314-55.4.11 (I). Proof of adequate water storage will need to be submitted upon implementation, or completion of project(s). Do not engage in grading, conversion of timberland, or any land disturbance activities until all requisite clearances, permits and/or licenses have been secured.

Pursuant to Humboldt County Code (HCC) Section 312-11.2, *"Development permits shall be issued only for a lot that was created in compliance with all applicable state and local subdivision regulations."* While our office is in the process of completing this review for your parcel, it may be necessary for you to submit additional information in order to determine how the property was created in its current configuration. If additional information is needed our office will contact you.

Please keep in mind, additional information may be requested once the project is reviewed by State and local agencies during the referral stage of the process. The Department cannot make the required findings specified in Humboldt County Code Sections 312-1.1.2 and 312-17 et seq., and the California Environmental Quality Act (CEQA) based on the information submitted to date. In order for the Department to further evaluate this project for compliance, the additional requested information must be submitted.

Once you have assembled all the requested materials listed in this letter, please submit these items along with this letter as a complete package to the contact listed below during regular business hours. In order to devote our time to applications that are fully complete and ready to move forward, the County must strictly adhere to our policy of not accepting incomplete or individual submittals of required information. **All required items must be submitted as a single package, in order for planning staff to accept them at the counter or via email.** We appreciate your understanding and cooperation in this matter, as we work diligently to keep forward progress of cannabis permitting.

Unless operating subject to a valid Interim Permit issued by the County, please remember that the filing of a permit application does not authorize the applicant to engage in any new commercial marijuana cultivation, processing, manufacture or distribution activity. No such activity shall commence until the application has been processed to decision and all requisite clearances, permits and/or licenses have been secured. If you have questions about this letter, please contact Abbie Strickland at 707-441-2630.

Sincerely,



Abbie Strickland
Cannabis Services Division
astrickland@co.humboldt.ca.us

Attachments
Road Evaluation Report



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT

3015 H Street • Eureka CA 95501
Phone: (707) 445-7541 • Fax: (707) 268-3792
<https://humboldt.gov/2546/Planning-Building>

June 27, 2024

Notification of Intent to Deny Cannabis Permit

Eulenthius D Alexander
PO Box 2343
Redway, CA, 95560

This letter is to inform you that your Humboldt County Cannabis permit application **PLN-12451-SP** on APN **220-311-005-000** for cultivation will be scheduled for denial by the Humboldt County Zoning Administrator unless immediate steps are taken.

On October 24, 2023, the Board of Supervisors received a report there are approximately \$14 million in unpaid Measure S taxes and \$2.1 million in unpaid permit processing costs associated with cannabis permit applications. The Board of Supervisors, wanting to balance the economic realities of the current cannabis market with the realities of the County, directed a series of actions to address these conditions. That direction resulted in a series of communications to applicants and permit holders to inform them of the needed actions and deadlines to keep their permits in good standing. This included a detailed January 9, 2024, letter, emails, and social media announcements reminding applicants and permit holders to bring their accounts current before March 31, 2024.

This permit number has unpaid Planning Department fees of **\$1,390.27**. **If, at the end of the ninety-day period from the date of this letter the Planning Department fees have not been paid in full, the application will be scheduled for a DENIAL hearing at the Zoning Administrator.**

If you are attempting to utilize Trellis grant funds, applications open on Thursday, June 20th at 10 a.m. Economic Development can be reached at 707-445-7745 or ProjectTrellis@co.humboldt.ca.us for more information regarding eligibility and the application process. If you are eligible for this funding and will be utilizing it to pay your outstanding balance, notification to the Planning and Building Department will be necessary.

To address Planning Department fees, please contact the Planning Department at 707-445-7541 to speak with a Permit Technician and make payment on your application. Once this is accomplished, please confirm payment with Jacob Dunn at jdunn@co.humboldt.ca.us. If you need assistance or have questions regarding your permit status you may contact Jacob Dunn at 707-267-9390. Once the required payment has been made your application will be updated to indicate that it is in good standing.

Respectfully,

John H. Ford
Director of Planning and Building

Applicant email:
Agent email:

CC: Department of Cannabis Control
Humboldt County Treasurer Tax Collector