

Sutfin, Devin

From: Sutfin, Devin
Sent: Wednesday, July 6, 2022 11:14 AM
To: Milesrecycling@gmail.com
Cc: Jeff Slack; Yandell, Rodney
Subject: RE: RE: Inspection Report, HWY 36 Farms, LLC, APN 210-231-021, Apps 11697
Attachments: 11697 Inspection Report 05.09.2022.pdf; 11697 Compliance Agreement.pdf; Compiled Inspection Photos 05.09.2022.pdf

Dear John Amos,

We sent the attached Inspection Report 05/09/2022 with some deadlines that have passed. We have received no response since the 05/09/2022 communication was sent, and the Inspection report deadlines have passed.

Additionally, our Accounting Division has placed a hold on the project due to unpaid bills. Please contact Amy Eberwein at (707) 268-3710, or by emailing aerberwein@co.humboldt.ca.us as soon as possible to resolve the billing issue.

What is the intention moving forward? We need the file to reflect effort towards resolving the Inspection Report issues. Without a response we will be forced to take action.

Thank you,



Devin Sutfin

Planner
Cannabis Services Division
[Planning and Building Department](#)
dsutfin1@co.humboldt.ca.us
707.268.3778

*Effective Jan. 5, 2022 the Planning and Building Department will staff the Garberville complex office at :

715 Cedar Street
Garberville, CA 95542

The office will be open on the first and third Wednesday of each month from 9:30 A.M. – 3:30 P.M.

From: Sutfin, Devin
Sent: Monday, May 9, 2022 3:43 PM
To: Milesrecycling@gmail.com
Cc: Jeff Slack <jslack@janssenlaw.com>
Subject: FW: RE: Inspection Report, HWY 36 Farms, LLC, APN 210-231-021, Apps 11697

From: Sutfin, Devin
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Dear John Amos,

Please find the attached Inspection report and reach out directly with any questions.

Thank you,



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Sutfin, Devin

From: Sutfin, Devin
Sent: Wednesday, August 10, 2022 3:58 PM
To: Milesrecycling@gmail.com
Cc: Yandell, Rodney; Jeff Slack
Subject: RE: Response Required, HWY 36 Farms, LLC, APN 210-231-021, Apps 11697
Attachments: 11697 Inspection Report 2022.pdf

Dear John Amos,

The attached Inspection Report 2022 was provided 04/19/2022 and required action to be taken to demonstrate compliance with issues identified during the inspection. Deadlines have well passed, and we have no response in the file.

Please review the attached Inspection Report 2022, and communication emailed to you on 04/19/2022 at 10:01 A.M. Pacific time, and provide the requested materials as soon as possible to avoid further action.

Please let us know if you have any questions.

Thank you,



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COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT

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

February 14, 2023

Hwy 36 Farms, LLC
905 Tyner Way
Incline Village, NV 89541

RE: Permit Application Number: PLN-11697-CUP / Assessor's Parcel Number (APN) 210-231-021

Dear Hwy 36 Farms Operator:

As part of its ongoing review of permitted cannabis projects, the Planning and Building Department (Department) completes annual compliance inspections of cannabis operations per Section 314-55.4.5.6 of Humboldt County Code. An annual compliance inspection of the subject site was conducted by the Department on April 19, 2022, a Conditional Use Permit (CUP) approved for up to 5,000 square feet (SF) in size of existing of outdoor cultivation and 7,600 SF of mixed-light cultivation. The subject inspection report (IR) was sent on April 19, 2022, which identified non-compliant issues with the project, the corrective actions to remedy the issues, and the date by which they must be resolved. To date, the Department has not received a sufficient response to the IR. Please be aware that failure to cure any items of non-compliance within the prescribed timeframe on the inspection report shall terminate the permit (HCC §55.4.5.7).

From your inspection report:

ISSUE 1: No executed Compliance Agreement was located in file and was due within 60 days of approval. Project was approved 08/01/2019.

REMEDY 1: Provide executed Compliance Agreement within 30 days (by June 13, 2022),

ISSUE 2: All items listed on Compliance Agreement are to be demonstrated as complete within two years, that deadline has passed.

REMEDY 2: Complete all Compliance Agreement items by end of year and provide evidence of completion.

ISSUE 3: Project approval was predicated on relocating historic cultivation and remediating the former cultivation sites in accordance with a restoration plan. We observed no onsite relocation and located no restoration report in the file.

REMEDY 3: A) Develop the project in accordance with approved site plan, AND B) Provide restoration plan for relocation in accordance with Compliance Agreement item # 5.

ISSUE 4: Power source could not be verified onsite, and no generator noise was measured onsite. No generator use can be allowed until the noise from the operation can be demonstrated to comply with Condition of Approval # 16.

REMEDY 4: Do not use fans, lights, or generator(s) until a scoping report for Northern Spotted Owl and Marbled Murrelet has been obtained and provided to the Planning Division for review and approval. Failure to provide report will jeopardize the cannabis permit.

ISSUE 5: Project was approved 08/01/2019 and is subject to a Compliance Agreement. Items listed on Compliance Agreement are to be demonstrated as complete within two years. That deadline has passed, and no

evidence of completion has been submitted.

REMEDY 5: Complete all Compliance Agreement items by end of year and provide evidence to the Planning Division.

ISSUE 6: State licenses CCL18-0003419 and CCL18-0003418 expired 09/21/2021. It appears cultivation was occurring in October 2021 without a state license.

REMEDY 6: Do not cultivate without an active and valid state license to avoid action.

ISSUE 7: Since nobody was onsite during the inspection, we have no indication of the source of irrigation water for commercial cannabis.

REMEDY 7: Provide water use logs for 2019, 2020, and 2021 broken down by source and month within ten days.

Required Actions

Completing the following is required to maintain your permit in good standing. Your response must be communicated to the Department in writing within ten days of the date of this letter, which is February 28, 2023.

1. Submit an action plan to remedy the issues of noncompliance identified in the inspection report, including the item and the date by which it will be remedied.

If you have questions about this letter, please contact Derek Wiles at (707) 268-3779 or at dwiles@co.humboldt.ca.us.

Sincerely,
Derek Wiles, Planner
Planning and Building Department



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT

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

March 02, 2023

Hwy 36 Farms, LLC
905 Tyner Way
Incline Village, NV 89541

RE: Notice of Action Required / Permit Application Number PLN-11697-CUP / Assessor's Parcel Number 210-231-021

Dear Hwy 36 Farms Operator:

As part of its ongoing review of permitted cannabis projects, the Planning and Building Department (Department) completes annual compliance inspections of cannabis operations per Section 314-55.4.5.6 of Humboldt County Code. An annual compliance inspection of the subject site was conducted by the Department on April 19, 2022. The subject inspection report (IR) was sent on April 19, 2022, which identified non-compliant issues with the project, the corrective actions to remedy the issues, and the date by which they must be resolved. To date, the Department has not received a sufficient response to the IR or to the follow up emails or letters. Please be aware that failure to cure any items of non-compliance within the prescribed timeframe on the inspection report shall terminate the permit (HCC §314-55.4.5.7).

From the inspection report of April 19, 2022:

- *ISSUE 1: No executed Compliance Agreement was located in file and was due within 60 days of approval. Project was approved 08/01/2019.*

REMEDY 1: Provide executed Compliance Agreement within 30 days (by June 13, 2022).

- *ISSUE 2: All items listed on Compliance Agreement are to be demonstrated as complete within two years, that deadline has passed.*

REMEDY 2: Complete all Compliance Agreement items by end of year and provide evidence of completion.

- *ISSUE 3: Project approval was predicated on relocating historic cultivation and remediating the former cultivation sites in accordance with a restoration plan. We observed no onsite relocation and located no restoration report in the file.*

REMEDY 3: A) Develop the project in accordance with approved site plan, AND B) Provide restoration plan for relocation in accordance with Compliance Agreement item # 5.

- *ISSUE 4: Power source could not be verified onsite, and no generator noise was measured onsite. No generator use can be allowed until the noise from the operation can be demonstrated to comply with Condition of Approval # 16.*

REMEDY 4: Do not use fans, lights, or generator(s) until a scoping report for Northern Spotted Owl and Marbled Murrelet has been obtained and provided to the Planning Division for review and approval. Failure to provide report will jeopardize the cannabis permit.

- *ISSUE 5: State licenses CCL18-0003419 and CCL18-0003418 expired 09/21/2021. It appears cultivation was*

occurring in October 2021 without a state license.

REMEDY 5: Do not cultivate without an active and valid state license to avoid action.

- *ISSUE 6: Since nobody was onsite during the inspection, we have no indication of the source of irrigation water for commercial cannabis.*

REMEDY 6: Provide water use logs for 2019, 2020, and 2021 broken down by source and month within ten days.

Required Actions

Completing the following is required to maintain your permit in good standing. Your response must be communicated to the Department in writing within ten days of the date of this letter, which is March 16, 2023.

1. Submit an action plan to remedy the issues of noncompliance identified in the inspection report, including the item and the date by which it will be remedied.

Please be advised that failure to respond to this letter will result in the Department initiating next steps to address these violations which may result in revocation of the permit, the associated State license, and referral for enforcement actions. We would prefer to handle this matter through the permitting process, rather than enforcement action.

If you have questions about this letter, please contact Derek Wiles at (707) 268-3779 or at dwiles@co.humboldt.ca.us.

Sincerely,
Derek Wiles, Planner
Planning and Building Department



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT

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

2/29/2024

HWY 36 Farms, LLC
PO Box 202
Rio Dell, CA
95562
Milesrecycling@gmail.com (sent via certified mail USPS and email)

RE: PERMIT REVOCATION NOTICE / PLN-11697 / APN- 210-231-021

Dear Amos John:

Due to violations of state and local regulations, the Humboldt County Planning and Building Department (Department) is scheduling a hearing before the Board of Supervisors (BOS) with a recommendation to revoke the subject Conditional Use Permit per Humboldt County Code (HCC) §314-14.1. Operators are required to comply with the Performance Standards for All Commercial Cannabis Activities and failure to comply shall be grounds for permit revocation and administrative penalties (HCC §314-55.4.12). The permit was exercised contrary to the terms and conditions of approval, including substantial refuse, cannabis waste, and potentially hazardous materials littered throughout the site since at least the 2022 County inspection, monofilament netting (prohibited by permit) left accessible to wildlife, missed deadlines on compliance agreement items, no evidence of water meter or records kept on site, failure to pay require fees, and failure to respond to any communication attempts from the County.

The public hearing will be scheduled with the Board of Supervisors on 03/26/2024. Please be aware that you will be responsible for all costs associated with the hearing.

If you have questions about this letter, please contact me at 707-268-3718 or at ebowen@co.humboldt.ca.us

Elliott Bowen