ATTACHMENT 4

Applicant's Evidence in Support of the Required Findings

Attachment 4 includes a listing of all written evidence which has been submitted by the applicant in support of making the required findings. The following materials are on file with the Planning Division:

1. The name, contact address, and phone number(s) of the applicant. (Application form on file)

2. If the applicant is not the record title owner of parcel, written consent of the owner for the application with original signature and notary acknowledgement. (On file)

3. Site plan showing the entire parcel, including easements, streams, springs, ponds and other surface water features, and the location and area for cultivation on the parcel with dimensions of the area for cultivation and setbacks from property lines. The site plan shall also include all areas of ground disturbance or surface water disturbance associated with cultivation activities, including access roads, water diversions, culverts, ponds, dams, graded flats, and other related features. If the area for cultivation is within one-quarter mile (1,320 feet) of a school, school bus stop, church or other place of religious worship, public park, or tribal cultural resource, the site plan shall include dimensions showing that the distance from the location of such features to the nearest point of the cultivation area is at least 600 feet. (Site Plan prepared by Timberland Resource Consultants on 08/09/2017)

4. A cultivation and operations plan that meets or exceeds minimum legal standards for water storage, conservation and use; drainage, runoff and erosion control; watershed and habitat protection; proper storage of fertilizers, pesticides, and other regulated products to be used on the parcel; and a description of cultivation activities (outdoor, indoor, mixed light), the approximate date(s) cannabis cultivation activities have been conducted on the parcel prior to the effective date of this ordinance, if applicable, and schedule of activities during each month of the growing and harvesting season. (Cultivation and Operations Plan - Attached)

5. 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, if applicable. (Riparian Water Rights Statement of Diversion and Use claims and reporting (Attached)).

6. Description of water source, storage, irrigation plan, and projected water usage. (Included in Cultivation Operations Plan (item 4. above) and Site Management Plan prepared for State Water Board Cannabis General Order (item 7. below)

7. Copy of Notice of Intent and Monitoring Self-Certification and other documents filed with the North Coast Regional Water Quality Control Board demonstrating enrollment in Tier 1, 2 or 3, North Coast Regional Water Quality Control Board Order No. 2015-0023, or any substantially equivalent rule that may be subsequently adopted by the County of

Humboldt or other responsible agency. (Site Management Plan (SMP) prepared by Cenci Consulting received 01/21/2020 (Attached))

8. If any on-site or off-site component of the cultivation facility, including access roads, water supply, grading or terracing, impacts the bed or bank of any stream or other watercourse, a copy of the Streambed Alteration Permit obtained from the California Department of Fish and Wildlife. (Attached)

9. If the parcel is zoned FR, U or TPZ, or involves the conversion of timberland as defined under Section 4526 of the Public Resources Code, a copy of a less-than-3-acre conversion exemption or timberland conversion permit, approved by the California Department of Forestry and Fire Protection (Cal Fire). Alternately, for existing operations occupying sites created through prior unauthorized conversion of timberland, evidence may be provided showing that the landowner has completed a civil or criminal process and/or entered into a negotiated settlement with Cal Fire. (Timber Harvest Plan authored by Michael W. Miles, Jr. (RPF # 2704) from 2003 to 2006 attached)

10. Consent for on-site inspection of the parcel by County officials at prearranged date and time in consultation with the applicant prior to issuance of any clearance or permit, and once annually thereafter. (On file)

11. Acknowledge that the County reserves the right to reduce the size of the area allowed for cultivation under any clearance or permit issued in accordance with this Section in the event that environmental conditions, such as a sustained drought or low flows in the watershed, will not support diversions for irrigation. (On file)

12. Acknowledge that the County reserves the right to engage with local tribes before consenting to the issuance of any clearance or permit, if cultivation operations occur within an Area of Traditional Tribal Cultural Affiliation, as defined herein. This process will follow current departmental referral protocol, including engagement with the tribe(s) through coordination with their Tribal Historic Preservation Officer (THPO) or other tribal representatives. This procedure shall be conducted similar to the protocols outlined under SB 18 (Burton) and AB 52 (Gatto), which describe "government to government" consultation, through tribal and local government officials and their designees. During this process, the tribe may request that operations associated with the clearance or permit be designed to avoid, minimize, or mitigate impacts to tribal cultural resources, as defined herein. Examples include, but are not limited to, conducting a site visit with the THPO or their designee to the existing or proposed cultivation site, requiring that a professional cultural resources survey be performed, or requiring that a tribal cultural monitor be retained during project-related ground disturbance within areas of sensitivity or concern. The County shall request that a records search be performed through the California Historical Resources Information System (CHRIS). (On file)

13. Road Evaluation Report for private access driveway prepared by applicant Teresa Davey received 12/06/2017 (Attached)

14. Division of Environmental Health Attachment for Commercial Medical Marijuana (CMM) Clearances/ Permits (DEH Form). (On-file)

CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE
REGION 1 – NORTHERN REGION
619 Second Street
Eureka, CA 95501

STREAMBED ALTERATION AGREEMENT
NOTIFICATION NO. 1600-2017-0391-R1
Unnamed Tributary to Westlund Creek, Tributary to the Mattole River and the Pacific Ocean

KING'S PEAK, LLC
APN 107-236-013
APPS 11537

Teresa Davey
Davey Water Diversion and Stream Crossings Project
4 Encroachments

This Streambed Alteration Agreement (Agreement) is entered into between the California Department of Fish and Wildlife (CDFW) and Teresa Davey (Permittee).

RECITALS

WHEREAS, pursuant to Fish and Game Code (FGC) section 1602, the Permittee initially notified CDFW on June 26, 2017 that the Permittee intends to complete the project described herein.

WHEREAS, pursuant to FGC section 1603, CDFW has determined that the project could substantially adversely affect existing fish or wildlife resources and has included measures in the Agreement necessary to protect those resources.

WHEREAS, the Permittee has reviewed the Agreement and accepts its terms and conditions, including the measures to protect fish and wildlife resources.

NOW THEREFORE, the Permittee agrees to complete the project in accordance with the Agreement.

PROJECT LOCATION

The project to be completed is located within the Mattole River watershed, approximately 7.75 miles west of the town of Myers Flat, County of Humboldt, State of California. The project is located in Section 36, T2S, R1E, Humboldt Base and Meridian; in the Bull Creek U.S. Geological Survey 7.5-minute quadrangle; Assessor's Parcel Number 107-236-013; latitude 40.2517 N and longitude -124.0154 W at the point of diversion (POD).

PROJECT DESCRIPTION

The project is limited to 4 encroachments (Table 1). One encroachment is water diversion from a spring at the head of a class II watercourse. Water is diverted through a ¾ inch poly pipe to storage for domestic household and cannabis cultivation use. A

second encroachment is to replace a nonfunctioning 12 inch culvert with a minimum 24 inch culvert. A third encroachment is to remove a 3 feet wide 3 feet deep existing water diversion structure from a class II watercourse. A fourth encroachment is to remove fill material from a class III watercourse and restore the stream channel to its original position. Work for the water diversion and stream crossing will include use and maintenance of the diversion infrastructure.

Table 1. Project Encroachments with Description

ID	Latitude/Longitude	Description
POD-1	40.2517, -124.0154	Water diversion from a spring through a ¾ inch poly-pipe to storage for domestic household and cannabis cultivation use
Crossing-1	40.2510, -124.0148	Replace a nonfunctioning 12" culvert with a minimum 24" culvert
POD removal	40.2510, -124.0148	Remove an existing water diversion structure from a class II watercourse
Remediation Site	40.2505, -124.0149	Remove dirt fill and debris from a class III watercourse

PROJECT IMPACTS

The adverse effects the project could have on the fish or wildlife resources identified above include:

Existing fish or wildlife resources the project could substantially adversely affect include Chinook Salmon (*Oncorhynchus tshawytscha*), Coho Salmon (*O. kisutch*), Steelhead Trout (*O. mykiss*), Western Brook Lamprey (*Lampetra richardsoni*), Pacific Lamprey (*Entosphenus tridentata*), Southern Torrent Salamander (*Rhyacotriton variegatus*), Pacific Giant Salamander (*Dicamptodon tenebrosus*), Foothill Yellow-Legged Frog (*Rana boylii*), Coastal Tailed Frog (*Ascaphus truei*), Western Pond Turtle (*Actinemys marmorata marmorata*) amphibians, reptiles, aquatic invertebrates, mammals, birds, and other aquatic, riparian and native plant species.

Impacts to water quality:

- increased water temperature
- reduced instream flow
- temporary increase in fine sediment transport

Impacts to bed, channel, or bank and direct effects on fish, wildlife, and their habitat:

- loss or decline of riparian habitat
- direct impacts on benthic organisms

Impacts to natural flow and effects on habitat structure and process:

- cumulative effect when other diversions on the same stream are considered
- diversion of flow from activity site
- direct and/or incidental take

- indirect impacts
- impediment of up- or down-stream migration
- water quality degradation
- damage to aquatic habitat and function

MEASURES TO PROTECT FISH AND WILDLIFE RESOURCES

1. Administrative Measures

The Permittee shall meet each administrative requirement described below.

1.1 Documentation at Project Site. The Permittee shall make the Agreement, any extensions and amendments to the Agreement, and all related notification materials and California Environmental Quality Act (CEQA) documents, readily available at the project site at all times and shall be presented to CDFW personnel, or personnel from another state, federal, or local agency upon request.

1.2 Providing Agreement to Persons at Project Site. The Permittee shall provide copies of the Agreement and any extensions and amendments to the Agreement to all persons who will be working on the project at the project site on behalf of the Permittee, including but not limited to contractors, subcontractors, inspectors, and monitors.

1.3 Adherence to Existing Authorizations. All water diversion facilities that the Permittee owns, operates, or controls shall be operated and maintained in accordance with current law and applicable water rights.

1.4 Change of Conditions and Need to Cease Operations. If conditions arise, or change, in such a manner as to be considered deleterious by CDFW to the stream or wildlife, operations shall cease until corrective measures approved by CDFW are taken. This includes new information becoming available that indicates that the bypass flows and diversion rates provided in this agreement are not providing adequate protection to keep aquatic life downstream in good condition or to avoid "take" or "incidental take" of federal or State listed species.

1.5 Notification of Conflicting Provisions. The Permittee shall notify CDFW if the Permittee determines or learns that a provision in the Agreement might conflict with a provision imposed on the project by another local, state, or federal agency. In that event, CDFW shall contact the Permittee to resolve any conflict.

1.6 Project Site Entry. The Permittee agrees to allow CDFW employees access to any property it owns and/or manages for the purpose of inspecting and/or monitoring the activities covered by this Agreement, provided CDFW: a) provides 24 hours advance notice; and b) allows the Permittee or representatives to participate in the

inspection and/or monitoring. This condition does not apply to CDFW enforcement personnel.

1.7 CDFW Notification of Work Initiation and Completion. The Permittee shall contact CDFW within the seven-day period preceding the beginning of work permitted by this Agreement. Information to be disclosed shall include Agreement number, and the anticipated start date. Subsequently, the Permittee shall notify CDFW no later than seven (7) days after the project is fully completed.

2. Avoidance and Minimization Measures

To avoid or minimize adverse impacts to fish and wildlife resources identified above, the Permittee shall implement each measure listed below.

2.1 Permitted Project Activities. Except where otherwise stipulated in this Agreement, all work shall be in accordance with the Permittee Notification received on June 26, 2017, with revisions received on January 5, 2018, together with all maps, BMP's, photographs, drawings, and other supporting documents submitted with the Notification.

2.2 Work Period. All work, not including diversion of water, shall be confined to the period **June 15 through October 1** of each year. Work within the active channel of a stream shall be restricted to periods of **dry weather**. Precipitation forecasts and potential increases in stream flow shall be considered when planning construction activities. Construction activities shall cease and all necessary erosion control measures shall be implemented prior to the onset of precipitation.

2.3 Extension of the Work Period. If weather conditions permit, and the Permittee wishes to extend the work period after October 1, a written request shall be made to CDFW at least 5-working days before the proposed work period variance. Written approval (letter or e-mail) for the proposed time extension must be received from CDFW prior to activities continuing past October 1.

2.4 Work Completion. The proposed work shall be completed by no later than **October 1, 2019**. A notice of completed work, including photographs of each site, shall be submitted to CDFW within seven (7) days of project completion.

2.5 Incidental Take. This Agreement does not allow for the take, or incidental take of any state or federal listed threatened or endangered listed species.

Vegetation Management

2.6 Minimum Vegetation Removal. No native riparian vegetation shall be removed from the bank of the stream, except where authorized by CDFW. Permittee shall limit the disturbance or removal of native vegetation to the minimum necessary to

achieve design guidelines and standards for the Authorized Activity. Permittee shall take precautions to avoid damage to vegetation outside the work area.

2.7 Vegetation Management. Permittee shall limit vegetation management (e.g., trimming, pruning, or limbing) and removal for the purpose of stream crossing or diversion infrastructure placement/maintenance to the use of hand tools. Vegetation management shall not include treatment with herbicides.

Water Diversion

2.8 Maximum Diversion Rate. The maximum instantaneous diversion rate from the water intake shall not exceed **three (3) gallons per minute** (gpm) at any time.

2.9 Bypass Flow. The Permittee shall pass **90% of the flow** at all times to keep all aquatic species including fish and other aquatic life in good condition below the point of diversion.

2.10 Seasonal Diversion Minimization. No more than **150 gallons per day** shall be diverted during the 2018 low flow season from **May 15 to October 31 for any use**. After October 31, 2018, Permittee shall confine the period of diversion for cannabis cultivation to **December 15 through May 15** and no more than 150 gallons per day shall be diverted for domestic household use between May 15 and December 15 of any year. Water shall be diverted only if the Permittee can adhere to conditions 2.8 and 2.9 of this Agreement.

2.11 Measurement of Diverted Flow. Permittee shall install and maintain an adequate measuring device for measuring the instantaneous and cumulative rate of diversion. This measurement shall begin as soon as this Agreement is signed by the Permittee. The device shall be installed within the flow of diverted water. The Permittee shall maintain records of diversion, and provide information including, but not limited to the following:

2.11.1 The date and time diversion occurred.

2.11.2 The amount of water used per day for cannabis cultivation separated out from the amount of water used for other irrigation purposes and other uses of water (e.g., domestic use or fire protection).

2.11.3 Permittee shall make available for review at the request of the department the daily diversion records required by the State Water Resources Control Board (Board) in Attachment A to the Board's Cannabis Cultivation Policy (October 17, 2017), No. 84, pages 40-41 (see Cal. Code Regs., tit. 23, § 2925).

2.12 Water Management Plan. The Permittee shall submit a Water Management Plan no later than **sixty days** from the time this Agreement is made final that describes

how compliance will be achieved under this Agreement. The Water Management Plan shall include details on water storage, water conservation, or other relevant material to maintain water needs in coordination with forbearance and bypass flow requirements. The Water Management Plan shall include a brief narrative describing water use on the property, photographs to support the narrative, and water use calculations to ensure compliance with this Agreement. The Water Management Plan shall be submitted to CDFW at 619 Second Street, Eureka, CA 95501.

2.13 Intake Structure. No polluting materials (e.g., particle board, plastic sheeting, bentonite) shall be used to construct or screen, or cover the diversion intake structure.

2.14 Intake Structure Placement. Infrastructure installed in the streambed (e.g., cistern or spring box) shall not exceed 10 percent of the active channel width and shall not be located in the deepest portion of the channel. The depth of the intake shall be no greater than one foot (12 inches) below the streambed.

2.15 Intake Screening. The Permittee shall regularly inspect, clean, and maintain screens in good condition.

2.15.1 The water intake screens shall be securely attached (e.g., threaded or clamped) to the intake line and have a minimum wetted area of 0.25 square feet and a minimum open area of 27%.

2.15.2 A water intake screen with round openings shall not exceed 3/32-inch diameter; a screen with square openings shall not exceed 3/32-inch measured diagonally; and a screen with slotted openings shall not exceed 0.069 inches in width. Slots must be evenly distributed on the screen area.

2.15.3 The water intake screen may be constructed of any rigid material, perforated, woven, or slotted. Stainless steel or other corrosion-resistant material is recommended to reduce clogging due to corrosion. Care should be taken not to use materials deemed deleterious to aquatic species.

2.15.4 The water intake screen shall be placed in fast moving water with the long axis of the screen parallel to the streamflow. The water intake shall not be placed in pool habitat.

2.16 Intake Shall Not Impede Aquatic Species Passage. The water diversion structures shall be designed, constructed, and maintained such that they do not constitute a barrier to upstream or downstream movement of aquatic life.

2.17 Diversion Infrastructure Plan (DIP). The Permittee shall submit a DIP for CDFW review and approval prior to diverting water. The DIP shall include a narrative describing the different elements of the water diversion infrastructure, supporting

photographs and/or diagrams, and justification of how compliance with the CDFW Fish Screen Criteria will be achieved under this Agreement.

2.18 Diversion Intake Removal. Permittee shall plug, cap, block (e.g., with a shut-off valve), or remove all intakes at the end of each diversion season.

2.19 Heavy Equipment Use. No heavy equipment shall be used in the excavation or replacement of the existing water diversion structure. The Permittee shall use hand tools or other low impact methods of removal/replacement. All project materials and debris shall be removed from the project site and properly disposed of off-site upon project completion.

2.20 Water Conservation. The Permittee shall make best efforts to minimize water use, and to follow best practices for water conservation and management.

2.21 Water Storage. All water storage facilities (WSFs) (e.g., reservoirs, storage tanks, mix tanks, and bladders tanks) must be located outside the active 100-year floodplain and outside the top of bank of a stream. Covers/lids shall be securely affixed to water tanks at all times to prevent potential entry by wildlife. Permittee shall cease all water diversion at the point of diversion when WSFs are filled to capacity.

2.22 Water Storage Maintenance. WSFs shall have a float valve to shut off the diversion when tanks are full to prevent overflow. The Permittee shall install any other measures necessary to prevent exorbitant use or waste of water. Water shall not leak, overflow, or overtop WSFs at any time. Permittee shall regularly inspect all WSFs and infrastructure used to divert water to storage and use and repair any leaks.

2.23 State Water Code. This Agreement does not constitute a valid water right. The Permittee shall comply with State Water Code sections 5100 and 1200 et seq. as appropriate for the water diversion and water storage. The application for this registration is found at: http://www.swrcb.ca.gov/waterrights/publications_forms/forms/docs/sdu_registration.pdf.

Stream Crossings

2.24 Stream Protection. No debris, soil, silt, sand, bark, slash, sawdust, rubbish, cement or concrete washings, oil or petroleum products, or other deleterious material from project activities shall be allowed to enter into or be placed where it may be washed by rainfall or runoff into the stream. All project materials and debris shall be removed from the project site and properly disposed of off-site upon project completion.

2.25 Equipment Maintenance. Refueling of machinery or heavy equipment, or adding or draining oil, lubricants, coolants or hydraulic fluids shall not take place within stream bed, channel and bank. All such fluids and containers shall be disposed of properly off-site. Heavy equipment used or stored within stream bed, channel and bank shall use drip pans or other devices (e.g., absorbent blankets, sheet barriers or other materials) as needed to prevent soil and water contamination.

2.26 Hazardous Spills. Any material, which could be hazardous or toxic to aquatic life and enters a stream (i.e. a piece of equipment tipping-over in a stream and dumping oil, fuel or hydraulic fluid), the Permittee shall immediately notify the California Emergency Management Agency State Warning Center at 1-800-852-7550, and immediately initiate clean-up activities. CDFW shall be notified by the Permittee within 24 hours at 707-445-6493 and consulted regarding clean-up procedures.

2.27 Dewatering.

2.27.1 Stream Diversion. Only when work in a flowing stream is unavoidable (e.g., perennial streams), Permittee shall divert the stream flow around or through the work area during construction operations. Stream flow shall be diverted using gravity flow through temporary culverts/pipes or pumped around the work site with the use of hoses.

2.27.2 Maintain Aquatic Life. When any dam or other artificial obstruction is being constructed, maintained, or placed in operation, Permittee shall allow sufficient water at all times to pass downstream to maintain aquatic life below the dam pursuant to Fish and Game Code §5937.

2.27.3 Stranded Aquatic Life. The Permittee shall check daily for stranded aquatic life as the water level in the dewatering area drops. All reasonable efforts shall be made to capture and move all stranded aquatic life observed in the dewatered areas. Capture methods may include fish landing nets, dip nets, buckets and by hand. Captured aquatic life shall be released immediately in the closest suitable aquatic habitat adjacent to the work site. This condition does not allow for the take or disturbance of any State or federally listed species, or State listed species of special concern. The Department staff who prepared this agreement shall be contacted immediately if any of these species are detected.

2.27.4 Coffer Dams. Prior to the start of construction, Permittee shall divert the stream around or through the work area and the work area shall be isolated from the flowing stream. To isolate the work area, water tight coffer dams shall be constructed upstream and downstream of the work area and water diverted, through a suitably sized pipe, from upstream of the upstream coffer dam and discharge downstream of the downstream coffer dam. Coffer dams and the stream diversion system shall remain in place and

functional throughout the construction period. Coffer dams or stream diversions that fail for any reason shall be repaired immediately.

2.27.5 Minimize Turbidity, Siltation, and Pollution. Permittee shall use only clean, non-erodible materials, such as rock or sandbags that do not contain soil or fine sediment, to construct any temporary stream flow bypass. Permittee shall divert stream flow around the work site in a manner that minimizes turbidity, siltation, and pollution, and does not result in erosion or scour downstream of the diversion.

2.27.6 Remove any Materials upon Completion. Permittee shall remove all materials used for the temporary stream flow bypass after the Authorized Activity is completed.

2.27.7 Restore Normal Flows. Permittee shall restore normal flows to the effected stream immediately upon completion of work at that location.

2.28 Excavated Fill. Excavated fill material shall be placed in upland locations where it cannot deliver to a watercourse. To minimize the potential for material to enter the watercourse during the winter period, all excavated and relocated fill material shall be tractor contoured (to drain water) and tractor compacted to effectively incorporate and stabilize loose material into existing road and/or landing features.

2.29 Runoff from Steep Areas. The Permittee shall make preparations so that runoff from steep, erodible surfaces will be diverted into stable areas with little erosion potential or contained behind erosion control structures. Erosion control structures such as straw bales and/or siltation control fencing shall be placed and maintained until the threat of erosion ceases. Frequent water checks shall be placed on dirt roads, cat tracks, or other work trails to control erosion.

2.30 Culvert Installation.

2.30.1 The project is located in a moderate to very high Fire Hazard Severity Zone as designated by CAL FIRE. Culvert materials shall consist of corrugated metal pipe (CMP). Use of High Density Polyethylene (HDPE) pipe shall be prohibited.

2.30.2 Existing fill material in the crossing shall be excavated down vertically to the approximate original channel and outwards horizontally to the approximate crossing hinge points (transition between naturally occurring soil and remnant temporary crossing fill material) to remove any potential unstable debris and voids in the older fill prism.

2.30.3 Culvert shall be installed to grade (not perched or suspended), aligned with the natural stream channel, and extend lengthwise completely beyond the toe of fill. If culvert cannot be set to grade, it shall be oriented in the lower

third of the fill face, and a downspout or energy dissipator (such as boulders, rip-rap, or rocks) shall be installed above or below the outfall as needed to effectively control stream bed, channel, or bank erosion (scouring, headcutting, or downcutting). The Permittee shall ensure basins are not constructed and channels are not be widened at culvert inlets.

2.30.4 Culvert bed shall be composed of either compacted rock-free soil or crushed gravel. Bedding beneath the culvert shall provide for even distribution of the load over the length of the pipe, and allow for natural settling and compaction to help the pipe settle into a straight profile. The crossing backfill materials shall be free of rocks, limbs, or other debris that could allow water to seep around the pipe, and shall be compacted.

2.30.5 Culvert inlet, outlet (including the outfall area), and fill faces shall be armored where stream flow, road runoff, or rainfall energy is likely to erode fill material and the outfall area.

2.30.6 Permanent culverts shall be sized to accommodate the estimated 100-year flood flow [i.e. ≥1.0 times the width of the bankfull channel width or the 100-year flood size, whichever is greater], including debris, culvert embedding, and sediment loads.

2.31 Rock Armor Placement.

2.31.1 No heavy equipment shall enter the wetted stream channel.

2.31.2 No fill material, other than clean rock, shall be placed in the stream channel.

2.31.3 Rock shall be sized to withstand washout from high stream flows, and extend above the ordinary high water level.

2.31.4 Rock armoring shall not constrict the natural stream channel width and shall be keyed into a footing trench with a depth sufficient to prevent instability.

2.32 Road Approaches. The Permittee shall treat road approaches to new or re-constructed permanent crossings *on Class I and II watercourses* to minimize erosion and sediment delivery to the watercourse. Permittee shall ensure road approaches are hydrologically disconnected to the maximum extent feasible to prevent sediment from entering the crossing site, including when a Stream Crossing is being constructed or reconstructed. Road approaches shall be armored from the crossing for a minimum of *50* feet in both directions, or to the nearest effective water bar or point where road drainage does not drain to the crossing, with durable rock, compacted grindings, pavement, or chip-seal.

2.33 Project Inspection. The Project shall be inspected by Timberland Resource Consultants or a licensed engineer to ensure that the stream crossings were

AUTHORITY

If the person signing the Agreement (signatory) is doing so as a representative of the Permittee, the signatory hereby acknowledges that he or she is doing so on the Permittee's behalf and represents and warrants that he or she has the authority to legally bind the Permittee to the provisions herein.

AUTHORIZATION

This Agreement authorizes only the project described herein. If the Permittee begins or completes a project different from the project the Agreement authorizes, the Permittee may be subject to civil or criminal prosecution for failing to notify CDFW in accordance with FGC section 1602.

CONCURRENCE

The undersigned accepts and agrees to comply with all provisions contained herein.

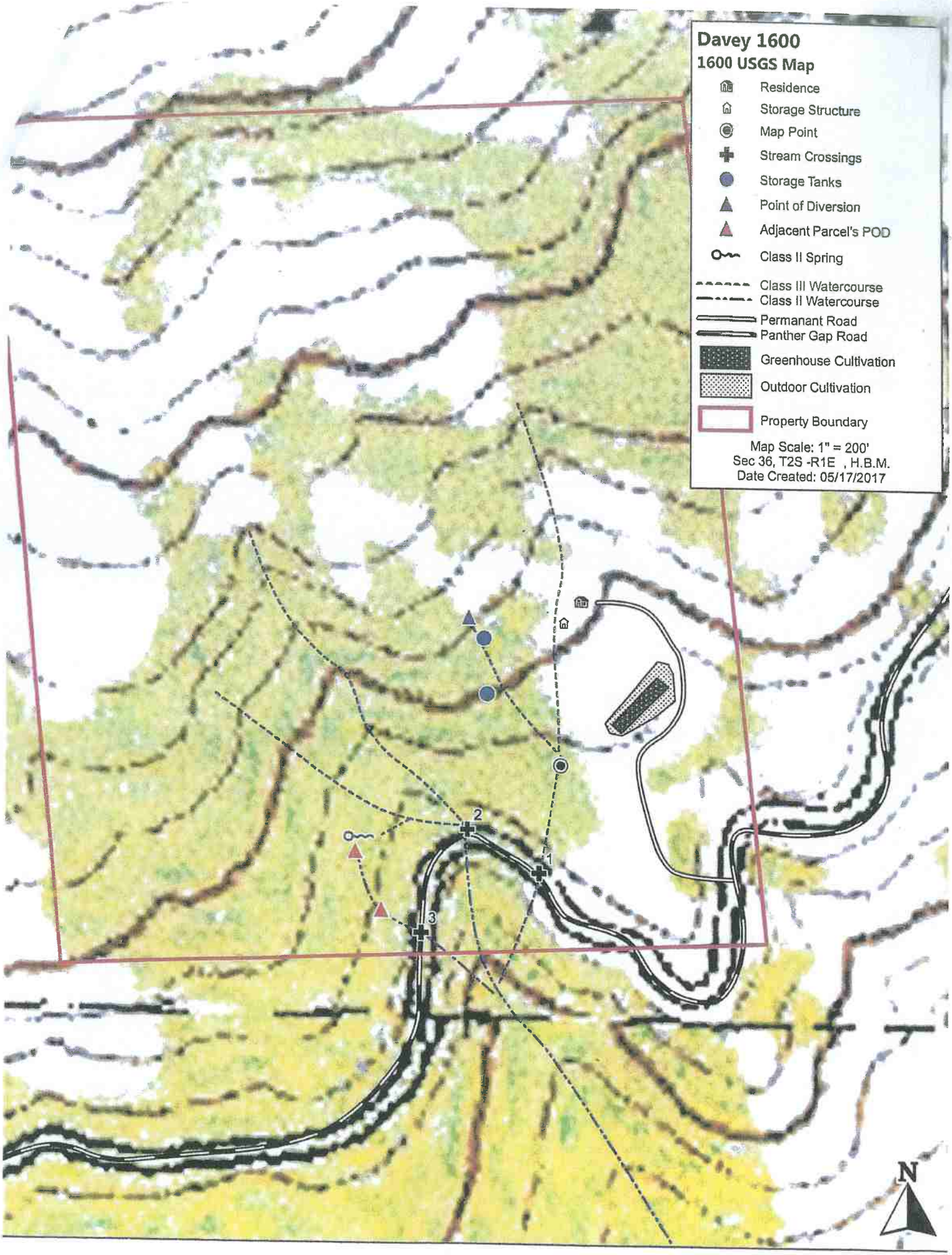
FOR Teresa Davey

Teresa Davey — Date: 7-12-18

FOR DEPARTMENT OF FISH AND WILDLIFE

Cheri Sanville
Senior Environmental Scientist Supervisor — Date: 7/17/18

Prepared by: T.O. Smith, February 23, 2018


Davey 1600
1600 USGS Map
Residence
Storage Structure
Map Point
Stream Crossings
Storage Tanks
Point of Diversion
Adjacent Parcel's POD
Class II Spring
Class III Watercourse
Class II Watercourse
Permanant Road
Panther Gap Road
Greenhouse Cultivation
Outdoor Cultivation
Property Boundary
Map Scale: 1" = 200'
Sec 36, T2S -R1E , H.B.M.
Date Created: 05/17/2017
1
2
3
N

Addendum 8M – Coordinates (NAD 83 DECIMAL DEGREES)

POD: -124.0154295°; 40.25176026°

Map Point A: -124.0148389°; 40.25107259°

Map Point B: -124.0148389°; 40.25107259°

Crossing #1: -124.0149667°; 40.25056022°

Crossing #2: -124.0154189°; 40.25076243°

Crossing #3: -124.0156946°; 40.25026929°

Addendum 10 – Project Description

POD: The diversion is a ¾" diameter screened polyline in a spring at the head of a Class II Watercourse. Surface water is diverted to a 1,300-gallon and two 2,500-gallon hard plastic storage tanks. 2016 baseline conditions were direct diversion for domestic and agricultural use. Beginning in 2017, the Applicant shall forbear diverting stream flow for agriculture from May 15 to October 15. This notification proposes year round direct diversion at no more than 200 gallons of water a day during the low flow season (May 15 to October 15) of any year. This would likely occur in the form of a Small Irrigation Use Registration (once available). A copy of the Initial Statement of Water Diversion and Use for 2016 is attached.

Water Storage and Use: The Applicant is applying for a cultivation permit from Humboldt County for 3,000 ft^2. The Applicant presently has 6,300 gallons of hard plastic storage but needs to install additional water storage to forbear from diversion from the POD for agricultural use from May 15 to October 15, 2017. We recommend that the Applicant install a water meter and record monthly agricultural water use to determine how much storage is needed. The Applicant shall submit to CDFW a Water Management Plan. The Water Management Plan shall include a brief narrative describing water use on the property, photographs to support the narrative, and water use calculations to ensure compliance with the subsequent Agreement.

Map Point A: At this location, past grading within the SMA has resulted in the placement of fill in the Class III stream channel. This notification requires removal of all fill material from the Class III stream channel and SMA, and restoration of the stream channel back to its original grade and configuration. The removal of fill and remediation of this site shall require the removal of approximately 35 cubic yards of fill (21 feet long by 3 feet deep by 15 feet wide) and 315 ft^2 overall disturbance (21-feet length and 15 feet width). The remediation requires the loss of native forbs and grasses.

Map Point B: This is a diversion structure 3-feet long by 3-feet deep by 3-feet wide wood paneled box located within a spring at the head of a Class II watercourse. This notification requires removal of diversion structure from the Class II stream channel, and restoration of the stream channel back to its original grade and configuration. The removal of diversion structure and remediation of this site shall require the removal of the structure and 36 ft^2 overall disturbance (6 feet long by 3 feet deep by 6 feet wide). The remediation requires the loss of native forbs and grasses.

Addendum 10 – Project Description (Cont.)

Crossing #1: 12" diameter by 40' long CMP on a Class III watercourse. The culvert at this site is plugged, not functioning, and undersized. This crossing shall be replaced with a 24" diameter by 40' long culvert per attached specifications. The removal and replacement of the crossing requires the excavation and displacement of approximately 12 cubic yards of fill and 160 ft^2 of overall disturbance (40 feet long by 4 feet deep by 4 feet wide). The replacement of this culvert requires the loss of native grasses, forbs, and ferns.

Crossing #2: 24" diameter by 40' long smooth-walled culvert on a Class II watercourse set at 25% grade. The culvert at this site is functioning and sized correctly.

Crossing #3: 24" diameter by 40' long smooth-walled culvert on a Class II watercourse set at 18% grade. The culvert at this site is functioning and sized correctly. The inlet bank is steep and shall be regraded and rock armored. The regrading of the bank and rock armoring of the inlet requires the excavation and displacement of approximately 2 cubic yards of fill (8 feet long by 2 feet deep by 3 feet wide) and 24 ft^2 of overall disturbance (8-feet length and 3 feet width). The outlet has refuse within the watercourse that shall be removed.

Not on my property

Remediation Plan

As described above, there are two watercourse crossings that require remediation. The combined disturbance to remediate these sites is 535 ft^2. Per Item II of Attachment E, the Applicant is in the process of preparing an application to be submitted to Humboldt County for Commercial Cultivation, Processing, Manufacturing and Distribution of Cannabis for medical use. The following consultants are working on the county permit: Chris Carroll @ Timberland Resource Consultants.

Addendum 10 – Pictures

Picture 1: Residence. Photo date 5-16-2017.

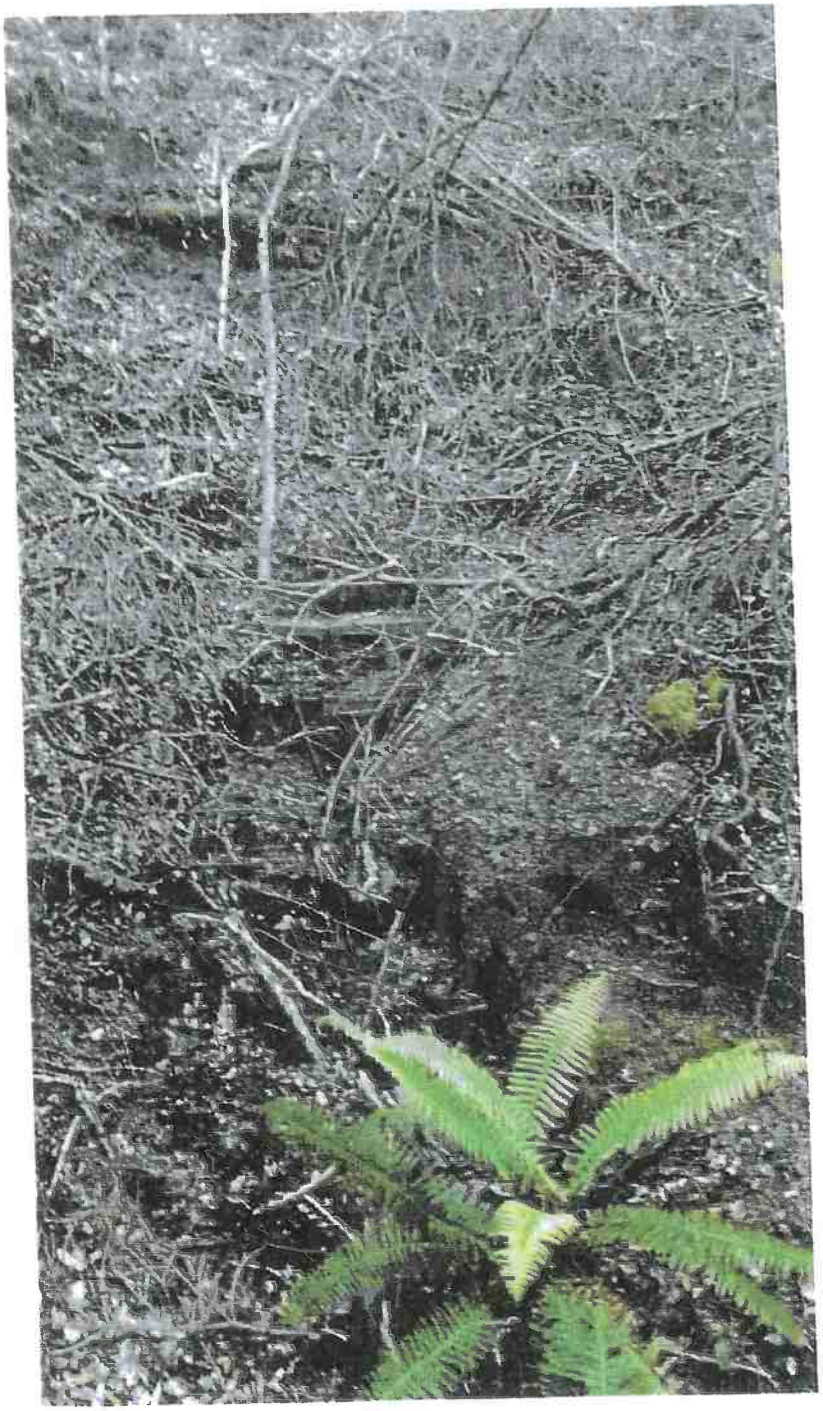
Addendum 10 – Pictures (Cont.)

Picture 2: Two 2,500-gallon hard plastic storage tanks. Photo date 5-16-2017.

Addendum 10 – Pictures (Cont.)

Picture 3: 1,300-gallon hard plastic water storage tanks. Photo date 5-16-2017.

Addendum 10 – Pictures (Cont.)



Picture 4: POD placed spring at the head of a Class II watercourse. Photo date 5-16-2017.

Addendum 10 – Pictures (Cont.)

Picture 5: Looking downstream on the left and upstream on the right of POD. Photo date 5-16-2017.

Addendum 10 – Pictures (Cont.)

Picture 6: Greenhouse 20' by 115' and outdoor cultivation area. Photo date 5-16-2017.

Addendum 10 – Pictures (Cont.)

Picture 7: Fill within the natural channel of the Class III watercourse at the Map Point. Photo date 5-16-2017.

Addendum 10 – Pictures (Cont.)

Picture 8: Looking upstream at the Map Point. Photo date 5-16-2017.

Addendum 10 – Pictures (Cont.)

Picture 11: Crossing #1 outlet. Photo date 5-16-2017.

Addendum 10 – Pictures (Cont.)

Picture 13: Looking upstream at two watercourses that converge at the inlet of Crossing #2. Photo date 5-16-2017.

Addendum 10 – Pictures (Cont.)

Picture 15: Looking downstream on the left and the outlet on the right of Crossing #2. Photo date 5-16-2017.

Addendum 10 – Pictures (Cont.)

Picture 16: Looking upstream at Crossing #3. Photo date 5-16-2017.

Addendum 10 – Pictures (Cont.)

Picture 17: Crossing #3 outlet. The fill at inlet is to be regraded and rock armored. Photo date 5-16-2017.

Addendum 10 – Pictures (Cont.)

Picture 19: Crossing #3 outlet. Photo date 5-16-2017.

Addendum 10 – Pictures (Cont.)

Picture 21: Existing diversion structure in a Class II watercourse that is neighbor's diversion not associated with the discharger. Photo date 5-16-2017.

Addendum 11F – Hydrologic Study

This notification utilizes the Rationale Method to determine for 100-year flood flow utilizing methods recommended in "*Designing Watercourse Crossings for Passage of 100-year Flood Flows, Wood, and Sediment*". 2004 Peter Cafferata, Thomas Spittler, Michael Wopat, Greg Bundros, and Sam Flanagan. This report recommends that the rational method be limited to watersheds less than 100 acres. The 100-year
Return-Period precipitation data is from:

http://hdsc.nws.noaa.gov/hdsc/pfds/pfds_map_cont.html?bkmrk=ca

Rational Method for 100-year flood flow (A < 200 acres) **APN 107-236-013 Teresa Dave**

	$T_c = 60((11.9 \times L^3)/H)^{0.385}$				$Q_{100} = CIA$			
No.	Crossing	Channel length (to top of basin) (mi) L	Elevation difference (ft) H	Concentration time (min) Tc	Runoff coefficient C	100-year Return-Period Precipitation (in/hr) I*	Area (acres) A	100-yr flood flow (cfs) Q100
1	*1*				0.4	4.926	16	***31.5***
2	*2*				0.4	4.926	10.5	***20.7***
3	*3*				0.4	4.926	1.2	***2.4***

State of California – Department of Fish and Wildlife
NOTIFICATION OF LAKE OR STREAMBED ALTERATION
FISH AND GAME CODE SECTION 1602
DFW 2023C (REV. 10/01/16) Page 1

Applicant Name: TERESA K. DAVEY

Project Name: APN 107-236-013

ATTACHMENT C

Water Diversion Questionnaire

Complete this attachment ***if*** the project is directly related to any diversion, obstruction, extraction, or impoundment of the natural flow of a river, stream, or lake. Provide the number assigned to the State Water Resources Control Board (SWRCB) application, permit, license, registration, statement of diversion, and use, or other authorization to divert, extract, or impound water, if applicable. If you have a current or expired Lake or Streambed Alteration Agreement (Agreement) for some activity related to your project, provide the Agreement number in your project description below and attach this form, with the information requested on one or more separate pages, to the notification form (DFW 2023).

I. Diversion or Obstruction

A. Attach plans of any diversion or water storage structure or facility that will be constructed or if no structures or facilities will be constructed, photographs of the project site, including any existing facilities or structures.

B. Please complete the water use table below. For diversion rate, use gallons per day (gpd) if rate is less than 0.025 cubic foot per second (cfs) (approximately 16,000 gpd).

SEASON OF DIVERSION		PURPOSE OF USE	DIVERSION RATE (cfs or gpm)	AMOUNT USED (acre feet)	
BEGINNING DATE (Mo. & Day)	ENDING DATE (Mo. & Day)			FROM STORAGE	BY DIVERSION
Jan 1st	Dec 31st	Domestic	1-4 gpm		74,000
Jan 1st	May 14th	Agriculture	1-4 gpm		45,000

C. Attach a topographic map that is labeled to show the following:
1. Source of the water
2. Points of diversion
3. Areas of use
4. Storage areas

D. Specify the maximum instantaneous rate of withdrawal (using proposed equipment) in cubic feet per second (cfs) or gallons per minute (gpm).

1-4 gpm

E. Check each box below that applies to the project water rights and attach supporting documents.

☑ Riparian. *Attach the most recent Statement of Water Diversion and Use filed with the SWRCB.*

☐ Diversion for immediate use.

☐ Diversion to storage (for less than 30 days).

☐ Appropriative.

☐ Pre-1914. *Attach the most recent Statement of Water Diversion and Use filed with SWRCB.*

☐ Post-1914. *Attach a copy of the applicant's water right application, permit, or license filed with or issued by SWRCB.*

☐ Small domestic, livestock stockpond, or small irrigation use registration. *Attach a copy of the applicant's registration of water use form filed with, or registration certificate issued by, SWRCB* (See Water Code section 1228 *et seq.*).

☐ Diversion for immediate use.

☐ Diversion to storage.

☐ Purchased or contracted water. *Attach a copy of the applicant's contract or letter from the applicant's water provider.*

☐ Other. *Describe below or attach separate page.*

F. Approximate lowest level of flow in the river, stream, or lake at the point of diversion during the proposed season of diversion in gpm or cfs:

G. *Other information.* After the Department reviews the project description, and based on the project's location and potential impacts to fish and wildlife resources, the Department will determine if additional information is needed before accepting the notification as complete. Such information could include more site-specific information to ensure that the terms and conditions in the Agreement issued to the applicant will be adequate to protect the fish and wildlife resources the diversion or obstruction could adversely affect. Site-specific information could include biological or hydrological studies or surveys based on the season of diversion, the location of the diversion relative to other diversions in the watershed, the method of diversion, and the quantity of water to be diverted, such as the following:

H. Specify the time period when the area below the dam becomes dry, if at all.

I. The methods employed to ensure that adult and juvenile fish will be able to pass over or around the dam:

J. If a fish ladder is necessary to enable adult and juvenile fish to pass over or around the dam, provide construction plans and an operation plan for the fish ladder. *(Enclose, if applicable)*

K. The methods employed to monitor and maintain water quality (including temperature) within the reservoir:

III. Temporary Reservoir

Please provide the information below ***if*** the project includes the construction of a temporary reservoir only within the stream zone.

A. Date of dam installation: _____

B. Date of dam removal: _____

C. Amount of time it will take to construct the dam: _____

D. Amount of time it will take to remove the dam: _____

E. Methods to ensure that the reservoir pool will be drained in a manner that does not strand or otherwise harm fish:

State of California – Department of Fish and Wildlife
NOTIFICATION OF LAKE OR STREAMBED ALTERATION
FISH AND GAME CODE SECTION 1602
DFW 2023E (New 10/01/16) Page 1

Applicant Name: TERESA K. DAVEY

Project Name: APN 107-236-013

ATTACHMENT E

Remediation of Marijuana Cultivation Sites

Complete this attachment ***if*** the primary purpose of the project is to remediate a marijuana cultivation site and submit the attachment with the notification form (DFW 2023) and fee in Section IV. "Remediate" means to perform work that reduces or eliminates the direct and indirect adverse impacts on fish and wildlife and their habitat caused by a project or activity the Department views as unlawful.

I. ORDER OR NOTICE

Are you required to perform the work described in the notification pursuant to a court or administrative agency notice or order?
☐ Yes (*Enclose a copy of the order or notice*) ☑ No
Did you receive a notice of violation (NOV) from the Department that relates to the work described in the notification?
☐ Yes (*Enclose a copy of the NOV*) ☑ No

II. ORDINANCE OR PERMIT

What is the name of the town/city and county where the marijuana cultivation site that requires remediation is located?
Town/City: Honeydew County: Humboldt
Does the town/city or county named above have a rule, ordinance, or other regulation or law that governs or otherwise regulates the cultivation of marijuana within its boundaries?
☐ Yes: Town/City ☑ Yes: County ☐ No ☐ Unknown
Are you required to have a permit or some other type of written authorization (permit) from the city/town and/or county named above to cultivate marijuana within the city/town and/or county?
☑ Yes (*Enclose a copy of the permit*) ☐ No ☐ Unknown

III. REMEDIATION AREA

Identify the total size of the remediation area in square feet. To calculate the total size of the remediation area, calculate each area that requires any type of remediation and add each area together to calculate the total area.	
Remediation area in total:	535 square feet

IV. FEE

Submit the applicable fee below based on the total size of the remediation area. The remediation fee is in addition to the notification fee and ***must*** be submitted by ***separate*** check or other method of payment (Cal. Code Regs., tit. 14, § 699.5, subd. (i)(3)(A)).

☑ $3,000 if the total remediation area is less than or equal to 1,000 square feet

☐ $5,000 if the total remediation area is greater than 1,000 square feet

V. REMEDIATION PLAN

Has a plan to remediate the area(s) been completed?

☐ Yes (*Enclose the plan*) ☑ No

Note: *If "yes" is checked, the remediation plan **must** be enclosed with the notification. If "no" is checked, or the Department determines the remediation plan enclosed with the notification is inadequate or incomplete, the Department may require you to have a licensed engineer or qualified environmental consultant amend the plan or submit a new plan for your notification to be complete.*

Have you consulted with or retained a licensed engineer or environmental consultant to address your Cannabis cultivation?

☑ Yes (*Provide the information below*) ☐ No

Name of Company	Name of Engineer or Consultant	Business Telephone
Timberland Resource Cons.	Chris Carroll	707-725-1897

VI. WATER SUPPLY

How is water supplied to the marijuana cultivation site(s) that require remediation?

☑ Diversion, obstruction, extraction, or impoundment of a river, stream, or lake.
*If this box is checked, you **must** also complete Attachment C.*

☑ Spring(s).
*If this box is checked, you **must** also complete Attachment C.*

☐ Private well(s).
If this box is checked, provide well log information with this attachment.

☐ Public water system.
Name of public water system: _____

☐ Water hauling.
Name of water hauler: _____

☐ Other.
Specify: _____

☐ *Continued on additional page(s)*

TIMBERLAND RESOURCE CONSULTANTS
165 S. FORTUNA BLVD., SUITE 4
FORTUNA, CA 95540
PH. 707-725-1897

COAST CENTRAL CREDIT UNION
90-7224/3211

11396

6/22/2017

PAY TO THE ORDER OF California Dept. of Fish & Wildlife

$ **1,122.00

One Thousand One Hundred Twenty-Two and 00/100********** DOLLARS

Details on Back.

Security Features Included

California Dept. of Fish & Wildlife
619 Second Street
Eureka, CA 95501

MEMO

Lauren Kepon MP
AUTHORIZED SIGNATURE

⑈011396⑈ ⑆321172248⑆ 125400915753⑈

TIMBERLAND RESOURCE CONSULTANTS 11396

California Dept. of Fish & Wildlife 6/22/2017

APN 107-236-013 1600-Permit Fees 1,122.00

Coast Central Checkin 1,122.00

TIMBERLAND RESOURCE CONSULTANTS 11396

California Dept. of Fish & Wildlife 6/22/2017

APN 107-236-013 1600-Permit Fees 1,122.00

Coast Central Checkin 1,122.00

LMP100 M/P CHECK

TIMBERLAND RESOURCE CONSULTANTS
165 S. FORTUNA BLVD., SUITE 4
FORTUNA, CA 95540
PH. 707-725-1897

COAST CENTRAL CREDIT UNION
90-7224/3211

11397

6/22/2017

PAY TO THE ORDER OF California Dept. of Fish & Wildlife

$ **3,000.00

Three Thousand and 00/100********** DOLLARS

California Dept. of Fish & Wildlife
619 Second Street
Eureka, CA 95501

MEMO

Lauri Kepos
AUTHORIZED SIGNATURE

Details on Back. Security Features Included

⑈011397⑈ ⑆321172248⑆ 125400915753⑈

TIMBERLAND RESOURCE CONSULTANTS 11397

California Dept. of Fish & Wildlife 6/22/2017

APN 107-236-013 1600-Remediation Fees 3,000.00

Coast Central Checkin 3,000.00

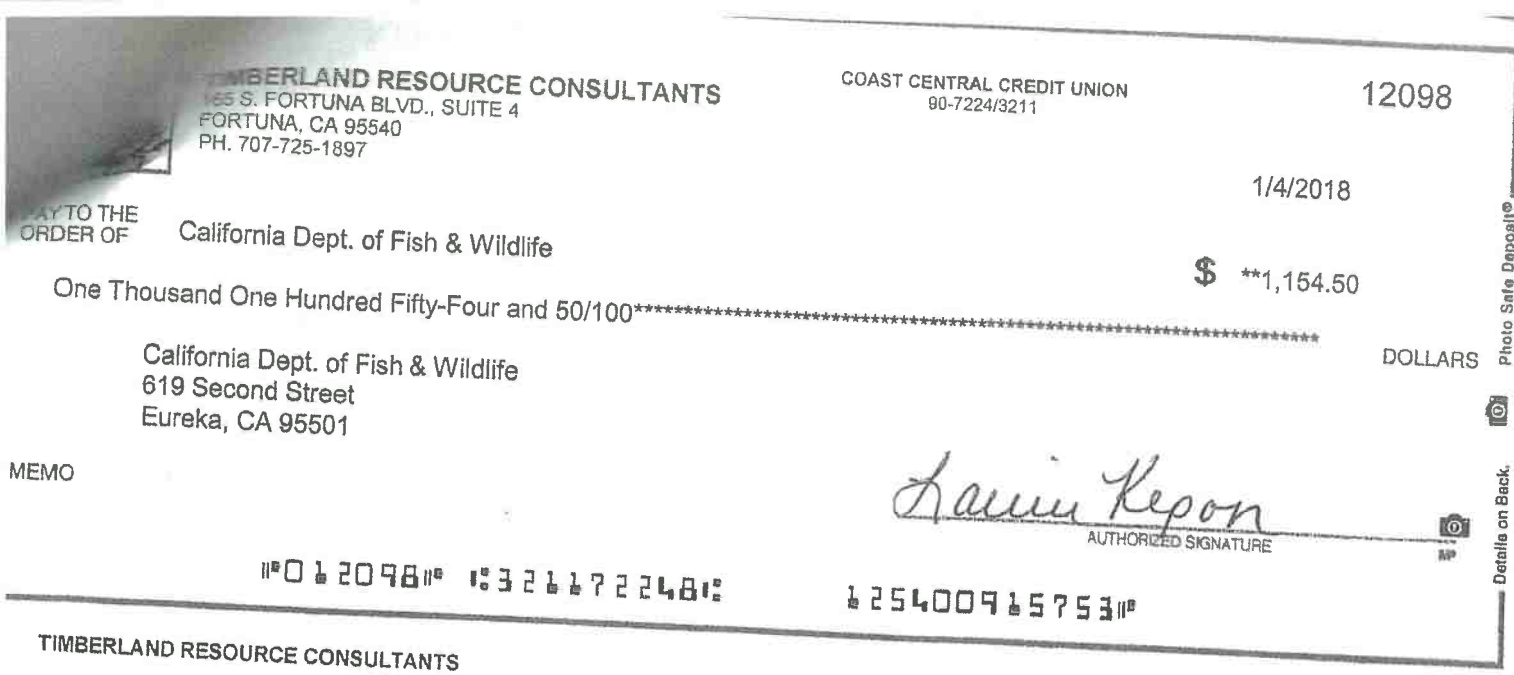
TIMBERLAND RESOURCE CONSULTANTS 11397

California Dept. of Fish & Wildlife 6/22/2017

APN 107-236-013 1600-Remediation Fees 3,000.00

Coast Central Checkin 3,000.00

LMP100 M/P CHECK



TIMBERLAND RESOURCE CONSULTANTS
165 S. FORTUNA BLVD., SUITE 4
FORTUNA, CA 95540
PH. 707-725-1897

COAST CENTRAL CREDIT UNION
90-7224/3211

12098

1/4/2018

PAY TO THE ORDER OF California Dept. of Fish & Wildlife

$ **1,154.50

One Thousand One Hundred Fifty-Four and 50/100**********

DOLLARS

California Dept. of Fish & Wildlife
619 Second Street
Eureka, CA 95501

MEMO

AUTHORIZED SIGNATURE

Photo Safe Deposit®

Details on Back.

⑈012098⑈ ⑆321172248⑆ 125400915753⑈

TIMBERLAND RESOURCE CONSULTANTS

California Dept. of Fish & Wildlife 12098

1/4/2018

Davey 1600_107-261-010_107-261-011 Revision 1,154.50

Coast Central Checkin

TIMBERLAND RESOURCE CONSULTANTS 1,154.50

California Dept. of Fish & Wildlife 12098

1/4/2018

Davey 1600_107-261-010_107-261-011 Revision 1,154.50

Coast Central Checkin

00 M/P CHECK 1,154.50

California Water Boards

North Coast Regional Water Quality Control Board

November 15, 2019

WDID:1_12CC417762

KING'S PEAK, LLC
APN 107-236-017
APPS 11537

TERESA DAVEY
4414 WILDER RIDGE
GARBERVILLE, CA 95545

Subject: Notice of Applicability - Waste Discharge Requirements Water Quality Order WQ 2019-0001-DWQ

The attached Notice of Applicability provides notice that the requirements of the State Water Board *Cannabis Cultivation Policy- Principles and Guidelines for Cannabis Cultivation* (Policy), and the *General Waste Discharge Requirements and Waiver of Waste Discharge Requirements for Discharges of Waste Associated with Cannabis Cultivation Activities,* Order WQ 2019-0001-DWQ (General Order – previously WQ 2017-0023-DWQ, with updates and revisions effective April 16, 2019) are applicable to the site as described below. Based on the information provided, the Discharger self-certifies the cannabis cultivation activities are consistent with the requirements of the State Water Board Policy and General Order.

Please direct all submittals, discharge notifications, and questions regarding compliance and enforcement to the North Coast Regional Water Quality Control Board Cannabis Program at (707) 576-2676 or northcoast.cannabis@waterboards.ca.gov.

Sincerely,

2019.11.15 15:18:51 PST

Kason Grady

On Behalf Of

Water Boards

Matthias St. John
Executive Officer
North Coast Regional Water Quality Control Board

191115_1L_1_12CC417762_1B171459CHUM_kings_Peak_NOA_TW

Notarized Written Consent of Owner

AUTHORIZATION TO CULTIVATE MEDICAL MARIJUANA PURSUANT TO THE MEDICAL MARIJUANA REGULATION AND SAFETY ACT

THIS AUTHORIZATION is provided this 6 day of October 2016 by TERESA DAVEY (hereinafter "OWNER") on behalf of KINGS PEAK, LLC (hereinafter "TENANT").

1. OWNER hereby authorizes and consents to the cultivation of medical marijuana by TENANT pursuant to the Medical Marijuana Regulation and Safety Act and related regulations of the County of Humboldt on property owned by OWNER located at:

5980 Panther Gap Road
Honeydew, California
Humboldt County APN 107-236-013

2. OWNER hereby authorizes and consents to TENANT's application for any and all permits and licenses with the County of Humboldt and State of California necessary for said cultivation of medical marijuana on the property referenced herein.

3. This Authorization shall remain in full force and effect unless withdrawn by OWNER in writing and mailed by US mail, postage prepaid, to TENANT at the following address, or at any other address provided in writing by TENANT:

Kings Peak, LLC
PO Box 83
Honeydew, CA 95545

4. OWNER shall provide TENANT no less than thirty (30) days' written notice of withdrawal of this authorization and consent.

A COPY OF THIS AUTHORIZATION SHALL BE CONSIDERED AS VALID AS THE ORIGINAL

Teresa Davey
TERESA DAVEY

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
)
County of Humboldt)

On Oct. 6, 2016, before me, Leslie Ames, a Notary Public, personally appeared **TERESA DAVEY,** who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certified under PENALTY OF PERJURY under the laws of the State of California, that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Leslie Ames
Signature of Notary Public

LESLIE AMES
COMM. #2093847
NOTARY PUBLIC • CALIFORNIA
HUMBOLDT COUNTY
My Comm. Expires Jan. 13, 2019

STATE OF CALIFORNIA
CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY
STATE WATER RESOURCES CONTROL BOARD

DIVISION OF WATER RIGHTS

RIGHT TO DIVERT AND USE WATER

KING'S PEAK, LLC
APN 107-236-013
Apps 11537

REGISTRATION *H506895* CERTIFICATE *H100548*

Right Holder: *teresa davey*
P.O. Box 80
Honeydew, CA 95545

The State Water Resources Control Board (State Water Board) authorizes the diversion and use of water by the right holder in accordance with the limitations and conditions herein SUBJECT TO PRIOR RIGHTS. The priority of this right dates from *07/30/2019*. This right is issued in accordance with the State Water Board delegation of authority to the Deputy Director for Water Rights (Resolution 2012-0029) and the Deputy Director for Water Rights redelegation of authority dated October 19, 2017.

The Deputy Director for Water Rights finds that this registration meets the requirements for registration of small irrigation use appropriation. (Wat. Code, § 1228 et seq.)

Right holder is hereby granted a right to divert and use water as follows:

1. Location of point*(s)* of diversion **(Coordinates in WGS 84)**

Name of Diversion	Source	Tributary To:	Thence	Latitude	Longitude	County	Assessor's Parcel Numbers (APN)
Primary POD	Unnamed Spring	Westlund Creek	Mattole River	40.252651	-124.015390	Humboldt	107236013000

2. Purpose of Use and 3. Place of Use

2. Purpose of Use	3. Place of Use		
	County	Assessor's Parcel Numbers (APN)	Acres
Irrigation	Humboldt	107236013000	0.01

Note: Assessor's Parcel Numbers provided are based on the user's entries in this portal on *06/23/2019*.
The place of use is shown on the map filed on *06/23/2019* with the State Water Board.

4. Quantity and Season:

The water appropriated by storage shall be limited to the quantity which can be beneficially used and shall not exceed 0.07 **acre-feet per year** to be collected from 01/01 to 12/31 and as permitted in the diversion season specified in the current version of the State Water Board's Cannabis Policy, whichever is more restrictive. The total storage capacity shall not exceed 0.07 acre-feet. The rate of diversion to storage shall not exceed **42,000 gallons per day (gpd) or the diversion rate specified in the current version of the State Water Board's Cannabis Policy, whichever is more restrictive.** For onstream storage reservoirs, the diversion rate and diversion season bypass conditions may be modified by the Deputy Director for Water Rights (or designee) or the California Department of Fish and Wildlife as part of the onstream storage reservoir determinations under the Cannabis Policy.

HUMBOLDT COUNTY DEPARTMENT OF PUBLIC WORKS
ROAD EVALUATION REPORT

PART A: *Part A may be completed by the applicant*

Applicant Name: Teresa Davey APN: 107 236-013

Planning & Building Department Case/File No.: ZCC16-162

Road Name: Teresa's driveway *(complete a separate form for each road)*

From Road (Cross street): Panther gAP

To Road (Cross street): Panther gAP

Length of road segment: 150 YARDS miles Date Inspected: _____

Road is maintained by: ☐ County ☒ Other Private
(State, Forest Service, National Park, State Park, BLM, Private, Tribal, etc)

Check one of the following:

Box 1 ☒ The entire road segment is developed to Category 4 road standards (20 feet wide) or better. If checked, then the road is adequate for the proposed use without further review by the applicant.

Box 2 ☐ The entire road segment is developed to the equivalent of a road category 4 standard. If checked, then the road is adequate for the proposed use without further review by the applicant.

An equivalent road category 4 standard is defined as a roadway that is generally 20 feet in width, but has pinch points which narrow the road. Pinch points include, but are not limited to, one-lane bridges, trees, large rock outcroppings, culverts, etc. Pinch points must provide visibility where a driver can see oncoming vehicles through the pinch point which allows the oncoming vehicle to stop and wait in a 20 foot wide section of the road for the other vehicle to pass.

Box 3 ☐ The entire road segment is not developed to the equivalent of road category 4 or better. The road may or may not be able to accommodate the proposed use and further evaluation is necessary. Part B is to be completed by a Civil Engineer licensed by the State of California.

The statements in PART A are true and correct and have been made by me after personally inspecting and measuring the road.

Teresa Davey 12-5-17
Signature Date

TERESA DAVEY
Name Printed

Important: Read the instructions before using this form. If you have questions, please call the Dept. of Public Works Land Use Division at 707.445.7205.

RECEIVED DEC 06 2017


APN 107-236-013
20'

Google Maps Honeydew, California to 5980 Panther Gap Rd, Honeydew, CA 95545

Walk 13.1 miles, 5 h 18 min

Imagery ©2017 Google, Map data ©2017 Google 2000 ft

Honeydew

California

Use caution - may involve errors or sections not suited for walking

1. Head northwest on Wilder Ridge Rd toward Mattole Rd
2. Turn right onto Mattole Rd — 72 ft
3. Turn left to stay on Mattole Rd — 1.8 mi

2.8 mi

4. Slight left toward Mattole Rd

0.1 mi

5. Continue onto Mattole Rd

3.4 mi

6. Turn right onto Panther Gap Rd

1.7 mi

7. Turn left

1.7 mi

8. Turn right onto Panther Gap

1.4 mi

5980 Panther Gap Rd

Honeydew, CA 95545

These directions are for planning purposes only. You may find that construction projects, traffic, weather, or other events may cause conditions to differ from the map results, and you should plan your route accordingly. You must obey all signs or notices regarding your route.

11537

SITE MANAGEMENT PLAN

FOR

WDID 1_12CC417746

GENERAL ORDER APP # 417746

CANNABIS CULTIVATION ON HUMBOLDT COUNTY PARCEL

107-236-013

PREPARED IN ACCORDANCE WITH STATE WATER RESOURCES CONTROL BOARD (SWRCB) GENERAL ORDER WQ 2019-0001-DWQ

Prepared For:

King Peak, LLC
c/o Teresa Davey
PO Box 83
Honeydew, CA 95545

Prepared By:

Kate Cenci
Cenci Consulting
PO Box 148
Petrolia, CA. 95558
(707) 616-7207

Background

King Peak, LLC (the "Discharger") is enrolled as a Tier 1, Low Risk Discharger (WDID 1_12CC417746) under the State Water Resources Control Board (SWRCB) Order # 2019-0001-DWQ. All Tier 1 Discharges shall submit and implement a Site Management Plan (Plan) that describes how the Discharger is implementing the best practical treatment or control (BPTC) measures listed in Attachment A of the Order. Previously, the Discharger was enrolled in the North Coast Regional Water Quality Control Board's Order No. R1-2015-0023 and was assigned the WDID 1B171460CHUM.

All work will be completed by the onset of winter period each year unless otherwise specified. (The due date will not relieve the Discharger from implementing the interim soil stabilization BPTC measures described in Attachment A of the Order.)

Additionally, as the Discharger falls within the North Coast Regional Water Board's (NCRWB) jurisdiction (Region 1), legacy waste discharge issues, if any, should be addressed.

1. Project Description

1.1. Summary of Activities

A total of 3,000 ft^2 of cannabis cultivation is located on the Property, distributed within one (1) distinct cultivation area. Cultivation currently occurs within a greenhouse/hoophouse. The site has been defined and recognized as "pre-existing cultivation" by Humboldt County, meaning it has been cultivated in the same location prior to January 1, 2016. Please see the Site Map for location reference.

No significant earthwork is proposed for the Project. If such activities are pursued in the future (i.e. site expansion requiring landmoving), all activities will be conducted in accordance with SWRCB's *Cannabis Cultivation Policy*, including but not limited to those requirements regarding assessment of cultural and biological resources.

1.2. Location

The Project is located at 5980 Panther Gap Road, Honeydew, CA 95545 in Southern Humboldt County. The Project is located in the inland zone, approximately 6 miles west of the community of Honeydew, as shown on **Figure 1 – Vicinity Map**. Honeydew contains a general store, post office, elementary school and a small number of rural residences. The nearest urban developments are located approximately 25 miles north, along Highway 101.

Figure 1. Vicinity Map

1.3. Region

The Project is within the North Coast Regional Water Board's jurisdiction. The property is entirely located within the Mattole River watershed, which is listed by SWRCB as a Cannabis Priority Watershed. On a smaller scale, the Project is located within the *Middle Mattole River* HUC-12 subwatershed, which is listed as an "impacted" subwatershed by Humboldt County.

1.4. Property Description

The Property consists of one parcel, totaling 40.67 acres (GIS) and is identified by Humboldt County APN 107-236-013. The parcel is located in Section 36, T2S, R1E, HB&M.

The Property has a south facing aspect, with an elevation range of approximately 1,680 ft to 2,240 ft above sea level. Slopes within the Property range from 30.5% (north-south) to 11.9% (east-west). The cultivation area is located on a graded flat with slopes of 5% or less, with adjoining natural hillslopes of 18 – 21%.

The Project area contains three (3) un-named Class III tributaries to Westlund Creek, a tributary to the Mattole River. The closest water feature to any area developed for cannabis cultivation is 55 ft.

The Project area is dominated by conifer (mostly Douglas Fir, *Pseudotsuga menziesii*) and mixed hardwood stands of tank oak (*Notholithocarpus densiflorus*), oak (*Quercus spp.*), and madrone

(*Arbutus menziesii*). Several natural meadows/grasslands exist throughout the Project area; one of these – totaling 2.4 acres - is located in the eastern half of the property. Cannabis cultivation activities (cultivation, storage, etc.) occur within this particular open area. In addition to the cultivation area and cultivation-related structures, a seasonal residence (non-cannabis structure) also exists on the property.

1.5. Land Use

The Project is located in an area of rural residential , agricultural, and timber production uses, including extensive cannabis cultivation activities that have occurred since the passage of California Proposition 215 in 1996.

No Tribal Cultural Resources or other sensitive archeological resources have been found within the Project Area or within a 600 ft buffer around the Project Area (an archeological survey was performed by a Qualified Professional). If in the course of Project implementation and normal site operations archaeological and paleontological resources are discovered, all ground-disturbing activities shall cease within 100 ft of the find and shall comply with Humboldt County's Commercial Cannabis Land Use Ordinance §55.4.12.1.15 and §1.22 and §1.23 of SWRCB's Cannabis Cultivation Policy.

2. Sediment Discharge BPTC Measures

2.1. Site Characteristics

2.1.1. Site Plan Map. Please see the accompanying Site Plan showing access roads, vehicle parking areas, streams, stream crossings, cultivation site(s), disturbed areas, buildings, and other relevant site features.

2.1.2. Access Road. Mattole Road is the nearest paved county-maintained road. Panther Gap Road provides access from Mattole Road to the Property as well as many other neighboring and nearby parcels. Approximately 0.07 miles of Panther Gap Road lies within the Property. A private driveway – approximately 0.14 miles in length – provides access from Panther Gap Road to the cultivation area, residence, and other infrastructure. The drive is in adequate condition, with minor erosion issues.

2.1.2.1. *Road Conditions.* No unstable areas, nor evidence of the potential of road/surface related runoff to create unstable areas currently exist. All Project roads are in adequate condition with a minor road-surface erosion issue apparent on the Primary Access Driveway on the approach to the seasonal residence (see Site Map, Sites 01 and 02 and § 2.1.2.4 below). The road surface is drained by an inside ditch. Parking consists of two (2) spaces located adjacent to the residence (see Site Map).

2.1.2.2. *Vehicle Traffic.* As all Project activities will be performed by the seasonal on-site resident, no significant increase in traffic is anticipated. Maximum traffic is estimated at one (1) vehicle traveling the private driveway and Panther Gap Road two times per day during

the non-winter period (April 1 – November 14). Project associated travel includes trips to nursery, processor, and supplies vendors. Residential travel may be additional to Project needs.

2.1.2.3. *Road Surface.* Panther Gap Road is a gravel road surfaced with native and imported rock. The private driveway and parking areas are native surface with gravel characteristics and imported rock.

2.1.2.4. *Stormwater Drainage.* Along its length, Panther Gap Road is variously drained by rolling dips, inboard ditches and ditch relief culverts, crowning, outsloping, and berming. The private driveway is drained by rolling dips and an inboard ditch. There is evidence (i.e. gullying) that concentrated road surface runoff during heavy precipitation events has eroded the road pad on the approach to the residence. The inboard ditch has also filled in with sediment within this section of road (see Site Map, Sites 01 and 02).

2.1.3. Stream Crossings. There are three (3) stream crossing on the property (Sites 03, 04, and 05).

2.1.3.1. *Site 03.* This crossing consists of a 24-inch diameter corrugated double-walled culvert. The culvert was installed by the Mattole Restoration Council's *Good Roads Clear Creeks Program* in 2005-2006.[1] The culvert is sized correctly and functioning properly.

2.1.3.2. *Site 04.* This drainage crossing consists of a 12-inch diameter culvert measuring 40 ft in length. The culvert is undersized and plugged, however it is not currently failing nor delivering sediment to watercourses. The landowner reports that the culvert has been plugged since they acquired the property nearly two decades ago, and has not overtopped during that time. The culvert is slated to be removed and upgraded as soon as heavy equipment can access the Property.[2]

2.1.3.3. *Site 05.* This crossing consists of a 24-inch diameter corrugated double-walled pipe culvert measuring 40 ft in length. The culvert is set at 25% grade and was installed through the Mattole Restoration Council's *Good Roads Clear Creeks Program* in 2005-2006. The culvert is sized correctly and functioning properly.

2.1.4. Garden Site. The Cultivation Area is located on a graded pad with a total area of approximately 5,400 ft^2 (See Site Map). The pad is located on a natural bench in a 2.4-acre meadow. Vegetation adjacent to the cultivation area is grassland savanna surrounded by

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[1] The Mattole Restoration Council's *Good Roads Clear Creeks (GRCC)* program aims to promote healthy streams and salmonid recovery by reducing erosion and stream sedimentation. In 2005-2006, funding for the project came from both the SWRCB's 319h grant program as well as the California Department of Fish and Wildlife (CDFW; formerly DFG). CDFW was the lead on CEQA.

[2] In the winter of 2018-2019, a large landslide took out a significant portion of Panther Gap Road, approximately 0.6 mile from the intersection with Mattole Road. As such, alternative routes of neighborhood ingress/egress are currently being established. It is anticipated that a new permanent route for Panther Gap Road will be completed sometime during 2020. Once the new road is final, heavy equipment can then access the Property.

forestland. The nearest watercourses are two Class III watercourses: one immediately to the west, approximately 150 ft away, and the other approximately 145 ft away to the southeast.

The slope of the site is 5% or less, with surrounding hillslopes of approximately 18-21 %. Given the low gradient of the site, surface water is naturally absorbed and recharged back into the existing landscape without channelization. The hillslope immediately adjacent to the cultivation area is naturally vegetated with grasses; it is stable, with no evidence of potential failure or sediment transport to watercourses. As irrigation is applied at agronomic rates, no runoff from irrigation is expected and no evidence of such currently exists. No drainage or erosion issues were observed within the cultivation area. The Project will not result in discharges or that could affect surface water or groundwater quality.

2.1.5. Legacy Waste Discharge Issues. No legacy waste discharge issues have been identified on the property.

2.2. Sediment Erosion Prevention and Sediment Capture

2.2.1. Erosion Prevention & Control BPTC Measures.

All activities that require construction equipment (i.e. any work beyond manual labor) shall take place in accordance with the following requirements:

- Only be performed between April 2 and November 14 each year, unless authorized by a Regional Water Board Executive Officer during the winter period
- Only be performed during periods of dry weather and not within any 48 hours in which the applicable daily weather forecast for any 24 hour period reports a 50 percent or greater chance of precipitation greater than 0.5 inch per 24 hours.
- Performed by Qualified Professional when required and/or appropriate
- All equipment shall be cleaned before arriving and before leaving the site in an effort to prevent the spread of invasive species

2.2.1.1. *Private Driveway/Access Road.* All repairs and upgrades will be in accordance with the designs and guidelines set forth in the *Handbook for Forest, Ranch, and Rural Roads*[3] (Road Handbook), and the maximum distance between water breaks shall not exceed those defined in the Road Handbook.

2.2.1.1.1. Site 01

A waterbar will be installed at this location that will direct road surface runoff. The waterbar shall drain into the inside ditch. Where feasible, the road will also be insloped. The inside ditch shall be cleared of sediment between Sites 01 and 02, for a distance of approximately 150 ft. At the

[3] <http://www.pacificwatershed.com/PWA-publications-library>

downstream end, the inside ditch drains into adjacent naturally-vegetated grassy hillslopes. All work shall be done with the use of hand tools.

2.2.1.1.2. Site 02

A waterbar will be installed at this location that will direct road surface runoff. The waterbar shall drain into the inside ditch, with road insloping, where feasible. The inside ditch shall be cleared of sediment between Sites 01 and 02, for a distance of approximately 150 ft. All work shall be done with the use of hand tools.

2.2.1.2. *Stream Crossings.* A Lake and Streambed Alteration Agreement (LSAA) with the California Department of Fish and Wildlife (CDFW) has been secured for any work in watercourses (#1600-2017-0391-R1; Site 03). Any additional guidelines, treatments, or restrictions set forth under the finalized LSAA shall be followed. Work will be conducted during periods of dry weather in the summer months, when little to no surface water is present. If water is present, then the Discharger shall develop a site-specific plan prepared by a Qualified Professional. The plan shall consider partial or full stream diversion and dewatering, and approved by CDFW prior to implementation.

2.2.1.2.1. Site 04

2.2.1.2.1.1. Interim. Using hand tools, the Discharger will unplug the culvert by hand. This may need to be periodically done during the wet season. Any spoils resulting from this process shall be deposited upslope in a stable low-gradient area outside of the riparian setback zone. Interim measures will be completed by November 15, 2019 and continue, when necessary, until the culvert is replaced.

2.2.1.2.1.2. Long-term. All activities will take place in consult with CDFW and under the terms of the LSAA. The existing culvert will be removed and replaced with a 24-inch diameter by 40 ft long culvert. The removal and replacement of the crossing requires the excavation and displacement of approximately 12 yd^3 of fill. Overall disturbance is estimated to be 160 ft^2 (40 ft long X 4 ft wide X 4 ft deep). Any spoils shall be removed and deposited upslope, out of the riparian buffer zone. Any exposed soils will be mulched with native straw/hay mixture at a rate of 2 tons/acre. Jute mats and/or straw wattles may also be used on and around the streambanks at the crossing site and on and around any sediment contours deposited upslope. No trees shall be removed during this activity. Any construction debris shall be hauled off-site to an approved waste management facility. Culvert removal and crossing decommissioning will take place by November 15, 2020.

2.2.1.3. *Garden Sites.* There are no erosion control issues at the cultivation area. To prevent erosion and runoff, irrigation water will be applied at agronomic rates via hand watering methods (i.e. there will be no runoff from irrigation). Irrigation lines also have safety shutoff-valves so as to prevent runoff of irrigation water into the surrounding landscape in the event of a failure or leak. Float valves shall be installed in water storage tanks, where appropriate, in order to prevent overflow from the tanks that could result in channeling or rill formation in the surrounding hillslopes.

Topsoil preservation measures include planting cover crop (clover and other species) during the fallow season, minimal tilling on calm days during planting, and mulching or utilizing weed mats where appropriate.

Any soil piles resulting from cultivation activities will be bordered by straw wattles surrounding the pile and covered with plastic sheeting or other similar material prior to the onset of fall rains or the winter period (November 15), whichever occurs first.

2.2.2. Sediment Control BPTC Measures.

There are no current sediment control issues in the Project area.

2.2.2.1. *Private Driveway/Access Road.* Dust will be minimized in the Project area by restricting vehicular traffic to the driveway and associated parking areas. No heavy equipment shall be operated if wind gusts exceed 25 mph.

2.2.1.1.1. Site 01

The inside ditch shall be cleared of sediment between Site 01 and 02, for a distance of approximately 150 ft. The cleared spoils shall be placed upslope in a stable location, recontoured to the surrounding topography and mulched with straw at a rate of 2 tons/acre.

2.2.1.1.2. Site 02

The inside ditch shall be cleared of sediment between Site 01 and 02, for a distance of approximately 150 ft. The cleared spoils shall be placed upslope in a stable location, recontoured to the surrounding topography and mulched with straw at a rate of 2 tons/acre.

2.2.2.2. *Stream Crossings.* All work shall be conducted in accordance with CDFW LSAA #1600-2017-0391-R1.

2.2.2.2.1. Site 04

2.2.2.2.1.1. Interim. Any spoils resulting from periodic cleaning of the culvert shall be deposited upslope in a stable low-gradient area outside of the riparian setback zone and covered with straw mulch, jute mat, or other natural fiber mat. Interim measures will be completed by November 15, 2019 and continue, when necessary, until the culvert is replaced.

2.2.2.2.1.2. Long-term. A properly installed silt fence shall be placed in the channel downstream of the crossing to catch any sediment discharge resulting from culvert replacement. Silt fence installation shall be in accordance with the designs and guidelines described in the Road Handbook. Any exposed soils resulting from culvert replacement will be mulched with native straw/hay mixture at a rate of 2 tons/acre; jute mats and/or straw wattles may also be used on any exposed soils on and around the streambanks at the crossing site, post-replacement.

Any captured sediment and any other spoils will be removed out the riparian setback zone and deposited upslope on stable ground. All spoils will be recontoured to the deposit location topography and covered with mulch and/or jute or other natural fiber mat. Straw wattles or jute fiber rolls will be placed at the toe of the spoils deposit. The silt fence shall be removed from the site after all activities at the site are complete and any loose soils are properly mulched and stabilized. Culvert replacement will take place by November 15, 2020.

2.2.2.3. *Garden Site.* No sediment control issues exist at the cultivation area. Topsoil preservation measures include planting cover crop (clover and other species) during the fallow season, minimal tilling on calm days during planting, and mulching or utilizing weed mats where appropriate. Any soil piles resulting from cultivation activities will be bordered by straw wattles surrounding the pile and covered with plastic sheeting or other similar material prior to the onset of fall rains or the winter period (November 15), whichever occurs first.

2.2.3. Maintenance Activities.

2.2.3.1. *Monitoring & Maintenance.* All sediment and erosion control features (i.e. driveway drainage ditches and waterbars, driveway surface, and soil coverings and wattles) will be monitored weekly year-round and before and after any storm event that produces at least 0.5 in/day or 1.0 inch/7 days of precipitation. Any ineffective erosion control features shall be immediately repaired or replaced, or mitigated when replacement is not feasible during the wet season. If regular driveway maintenance is required, it will occur during dry weather in the summer months. If emergency repairs are required, NCRWQCB staff will be immediately notified and a schedule of repair activities will be determined based on consult with NCRWQCB. All culvert road improvements in the future shall utilize angular rock, out-sloping, rolling dips, and water bars, as appropriate.

2.2.3.2. *Sediment Control Maintenance.* It is not anticipated that any large amounts of sediment will require stabilization or removal from the site. Any excavated spoils from Sites 01, 02, and 04 that are removed and deposited upslope shall be monitored for stability at the relocation site/s at least once per week year round and after any storm event that produces at least 0.5 in/day or 1.0 inch/7 days of precipitation. If any evidence of instability is encountered, additional mulch, straw wattles, and/or jute mat, and/or silt fencing will be installed.

The surface of the driveway and all parking areas shall be maintained so as to prevent dust that might otherwise produce sediment-laden runoff during the wet season.

3. Riparian and Wetland Protection and Management

3.1. Distance to Nearest Watercourses

Assessment of the property concluded that cultivation area and associated facilities are not located or occurring within 150 ft of any Class I watercourse or spring, nor within 100 feet of any Class II watercourse or wetland, nor within 50 ft of any Class III watercourse. The distances to the

nearest watercourses from areas developed for cannabis cultivation and related activities are as follows:

- Cultivation area: 150 ft & 145 ft to west & southeast watercourses, respectively
- Compost area (Site 08): 178 ft
- Shipping container for agricultural chemical storage (Site 06): 55 ft
- Shed for solid waste storage & residential fuel storage (Site 07): 75 ft
- Water tanks (closest to watercourses): 55 ft, 65 ft, 75 ft

3.2. Buffers

Current riparian buffers consists mostly of native conifer and hardwood tree species, as well as various native shrubs, grasses, and other flowering species. Non-native pasture grasses are also present. Aquatic and riparian habitats shall remain intact with minimal to no disturbance, outside of those necessary during stream crossing upgrades. This Project anticipates minimal removal of vegetation within the riparian buffer zones during culvert replacement only; a small number of native and non-native grass species and forbs will be removed. All other existing, naturally occurring vegetative cover shall remain intact. Buffers maintain natural slopes with native vegetation, and buffers are of sufficient width to filter any wastes from unintended runoff discharging from production lands and associated facilities to all wetlands, streams, drainage ditches, or other conveyances.

3.3. Runoff

All runoff from soil and garden wastes shall be minimized by storing such wastes on low-gradient slopes in distinct compost bins and/or areas near the cultivation site, outside of the riparian buffer zones.

4. Water Supply, Diversion, Storage, Use, and Conservation

4.1. Supply and Diversion

One point of diversion (POD; see Site Map) located northwest of the cultivation area provides water for the Project. Intake infrastructure consists of a 3/4" diameter poly pipe placed in small spring near the head of a Class III watercourse. The intake of the pipe is screened with 3/32" diameter screening (CDFW-approved). The poly pipe gravity feeds surface waters to nearby closed water storage tanks downslope from the POD. Water is then conveyed to additional storage tanks and eventually the cultivation area via an electric pumping system. The diversion infrastructure shall be regularly inspected (at least once every two weeks) and maintained and/or repaired when necessary.

No surface water shall be diverted for the Project unless it is diverted under the current water right, SIUR H506895 (Certificate H100548), secured through the SWRCB Department of Water Rights in September 2019. A total of 22,810 gallons (0.07 acre-feet) is authorized under this water right. The diversion is also authorized under CDFW LSAA #1600-2017-0391-R1.

Water will be diverted for the Project during the SWRCB authorized surface water diversion period, November 1 – March 31. Surface water diversion shall only occur during those times where Numeric Instream Flow Requirements have been met for the associated compliance gage (Mattole R NR Petrolia CA, ID: 11469000). A minimum of 50% bypass flow at the POD shall be maintained during all times of diversion.

4.2. Storage

All water storage tanks shall be located outside of the riparian setback zones and not near any equipment that regularly generates heat. Storage tanks are placed on leveled ground and are easy to access, monitor, and maintain. Total water storage for the Project is 22,700 gallons and is comprised of the following infrastructure:

- One (1) 200-gallon poly tank
- One (1) 500-gallon poly tank
- Two (2) 500-gallon poly tanks
- One (1) 1,000-gallon poly tank
- Two (2) 2,500-gallon poly tanks
- Three (3) 5,000-gallon poly tanks

4.3. Use

Water will be used for irrigation of cannabis. An estimated 22,650 gallons of water shall be used for this purpose. Trucked water may be used for emergency situations only.

4.4. Conservation

Water conservation measures include, but are not limited to, the following:

- Float valves installed in water storage tanks, where appropriate, in order to prevent overflow from the tanks and avoid unnecessary diversion from surface waters
- Precise overhand water or drip irrigation applied at agronomic rates
- Exposed soils within the garden areas are mulched with weed-free mulch or covered with weed mats to reduce soil moisture loss to evaporation
- Irrigation system checked weekly during cultivation season and leaks immediately repaired

4.5. Monitoring and Maintenance

The irrigation system will be check at least weekly during the cultivation season. Any detected leaks in the irrigation system/s shall be fixed immediately so as to reduce runoff and water wastes from such incidents; worn out or malfunctioning components shall be replaced. Additionally, all irrigation lines have metering devices installed (May 2019) immediately

downstream of the POD to account for actual water withdrawn and diverted to storage. Actual water diverted and used shall be recorded weekly and reported on an annual basis to SWRCB. All records shall be kept for a minimum of five (5) years.

5. Fertilizer, Pesticide, Herbicide, and Rodenticide BPTC Measures

5.1. Table of Products Used

Product	Use	Delivery Date	Storage	Notes
Molasses (food-grade)	Fertilizer	April	Original container w/in plastic bin in locked shipping container	Any unused product is stored appropriately in locked shipping container over winter
Bat Guano	Fertilizer	May	Original container in plastic bin in locked shipping container	Any unused product is stored appropriately in locked shipping container over winter
Earth Juice Rainbow Mix Pro Bloom	Fertilizer	May	Original container in plastic bin in locked shipping container	Any unused product is stored appropriately in locked shipping container over winter
Alaska Morbloom	Fertilizer	May	Original container in plastic bin in locked shipping container	Any unused product is stored appropriately in locked shipping container over winter

5.2. Site Plan Map

Please see the accompanying Site Plan showing the storage location for all fertilizers, nutrients, amendments, and pesticides (collectively termed "agricultural chemicals"). All agricultural chemicals are stored in the shipping container (Site 06) near the cultivation area.

5.3. Storage, Mixing, Application, and Disposal

5.3.1. Storage. All nutrients, liquid fertilizers, and liquid amendments will be located in the locked shipping container identified on the Site Map. Such liquids will be contained within their original, water tight, labeled containers in accordance with manufacturer instructions and also within secondary containment (e.g. plastic bins). Bagged nutrients (e.g. manure, compost) and amendments shall be stored in their original packaging within secondary containment (bins) also within the same storage shed compartment as the fertilizers. The use of pesticides and herbicides is not anticipated. If such agricultural chemicals are used, they shall be stored in the shipping container within a separate sealed bin or compartment from the fertilizers and amendments. All pesticides and herbicides will be stored in their original labeled containers in secondary containment. The shipping container and any relevant internal compartments or bins shall be labeled with appropriate signage, in accordance to CCR Div.6, Chpt.3, §6674.

5.3.2. Mixing. Designated site personnel will be trained to handle, mix, apply and dispose of pesticides/fungicides with proper hand, eye body and respiratory protection in accordance with the manufacturer recommendations and CDPR requirements.

5.3.3. Application. Fertilizers and other nutrients will only be applied according to crop need (agronomic rates). Application rates for fertilizer will be tracked monthly in accordance with SWRCB, Humboldt County Agriculture Commissioner, and CDPR requirements. Soil amendments (if any) will be worked into the soil prior to planting. Liquid fertilizers will be applied via hand watering or through the irrigation system. No agricultural chemicals will be applied within 48 hours of a predicted rainfall event of 0.25 inches or greater with a probability greater than 50-percent.

5.3.4. Container Disposal. Empty plastic containers are thrice rinsed, with the rinse water being applied to the plants and/or garden soil, as appropriate. Empty containers are then punctured and/or cut so as to prevent them from holding liquid. They are then disposed of in the designated covered trash bins (see Site Map, Site 09) prior to being hauled offsite to a licensed trash facility as needed, or minimally at the end of the season (November 15), or prior to the onset of fall rains, whichever occurs first. If a HDPE pesticide-container recycling program becomes available in Humboldt County, containers will then be disposed of through this program, in accordance with applicable guidelines.

5.4. Spill Prevention and Cleanup

Site personnel will be trained in proper handling procedures, including spill prevention, countermeasures, and cleanup protocols should emergency arise. Spill kits will be available in the shipping container, including absorbent pads and/or cat litter.

6. Petroleum Product BPTC Measures

6.1. Table of Products Used

Product	Use	Delivery Date	Storage	Notes
Gasoline	Generator	Year-round, as needed	CARB-approved PFC within secondary containment in shed	Any unused product is stored appropriately within secondary containment in shed
Motor Oil	Generator	Year-round, as needed	Original manufacturer packing within secondary containment in shed	Any unused product is stored appropriately within secondary containment in shed

6.2. Site Plan Map

Site 07 identifies where fuel and other petroleum products are stored.

6.3. Storage, Mixing, Application, and Disposal

6.3.1. Storage. All fuels (i.e. gasoline) will be stored in Portable Fuel Containers (PFCs) that have been certified by the California Air Resources Board (CARB). Motor oil will be stored in original manufacture's packaging. When not in use, all petroleum-product container/s will be stored in a detached shed (Site 07) adjacent to the residence, just north of the cultivation area. The shed provides adequate protection from sun, wind, rain, and accidental ignition. The containers will be stored in secondary containment (e.g. plastic bin) suitable for holding the entire capacity of the largest single container. All petroleum products will be stored separately from amendments, fertilizers, and pesticides. No bulk fuel storage is present on the property.

6.3.2. Mixing. Any mixing of fuels will take place within secondary containment outside of riparian setback zones.

6.3.3. Application. Fuels will be used for residential use and for small generator (Honda EU 2000 or similar) operation to run electric water pumps in the water storage and irrigation system. All refueling will take place within secondary containment outside of the riparian setback zones.

6.3.4. Disposal. Any compromised fuels intended for disposal shall be disposed of at Humboldt Waste Management Authority's (HWMA) Hazardous Waste Facility, in accordance with their guidelines and procedures.

6.4. Describe procedures for spill prevention and cleanup.

Spills shall be prevented by storing fuels in CARB-approved storage/dispensing containers and mixing within secondary containment. Spill kits (including absorbent pads and/or cat litter) will be kept on hand. Any spills shall be addressed with appropriate absorbent materials, which will then be taken off-site to an approved waste management facility (HWMA).

All equipment and vehicles will be inspected prior to use and also regularly inspected for leaks. All equipment using petroleum products will be parked or located outside of the riparian setbacks. Vehicles shall be parked in the designated parking areas on the Site Plan. All repairs will be conducted off-site, unless an emergency repair is required. All fluids generated from an emergency repair shall be taken off-site and properly disposed and/or recycled. If refueling of vehicles or equipment onsite is necessary, it shall only be performed outside of the riparian setbacks.

7. Trash/Refuse, and Domestic Wastewater BPTC Measures

7.1. Types of Trash/Refuse

7.1.1. Cultivation Waste. Cultivation vegetative matter such as root balls, branches, and leaves will be composted on-site in the designated compost area (see Site Plan, Site 08). No materials associated with the cultivation and processing of cannabis will be burned.

7.1.1.1. *Site Plan Map*. Please see the accompanying Site Plan showing the storage location for cultivation wastes (Site 08).

7.1.2. Solid Waste. All other wastes, including cultivation-related (non-plant material) and household refuse & recycling, plastics, packaging, irrigation, pots, lighting, electrical fixtures, wiring, and fencing shall be collected in designated trash and recycling containers (lidded trash cans) which will be located onsite in or adjacent to the shed near the residence. The containers are covered to prevent storm water contamination and leachate from entering or percolating to receiving waters. The containers will also be restricted from animal access. Solid waste and recycling will be hauled off-site by site personnel at least once every two weeks, or as necessary.

7.1.2.1. *Site Plan Map*. Please see the accompanying Site Plan showing the storage location for solid wastes (Site 09).

7.1.3. Hazardous Waste. Although their production is not anticipated, any hazardous wastes (such as fuels or solvents) shall be stored so as to prevent exposure to sunlight, excessive heat, and precipitation, and stored within secondary containment in the shed (Site 09) until they can be taken to a county-approved hazardous materials collection facility, as appropriate.

7.2. Employees

No employees are anticipated for this project; all activities will be conducted by the owner-operator. The only visitors will be authorized personnel from various local (Humboldt County) and state agencies (e.g. CDFA, SWRCB, CDPR, etc.). Other than the seasonal residence on the Property, there are no other residences within 600 feet of the Project site.

7.2.1. Type of Wastewater. Since irrigation shall be applied at agronomic rates, no effluent (cultivation wastewater) is anticipated at the site. A flush toilet, sink, and shower will be available for owner-operator use.

7.2.2. Wastewater Disposal. A septic system will be located onsite. The Discharger is working with the Humboldt County Planning & Building Department to ensure all necessary permits are obtained for these facilities. The septic tank shall be pumped by a licensed servicer at least once per year prior to the onset of the winter period (November 15), or more frequently, as needed.

The septic tank and leach field will be located adjacent to the residence and shall be sited to be far from surface waters so that they do not pose a threat to water quality. It is the Discharger's

responsibility to ensure compliance with the Humboldt County Department of Environmental Health and Human Services.

7.2.2.1. *Site Plan Map*. Please see the accompanying Site Plan for the locations of the bathroom facilities (toilet, sink, shower).

8. Winterization BPTC Measures

8.1. Description of Activities

8.1.1. Garden Sites. A cover crop will be planted prior to November 15. Any unused or spent soil piles will be covered with plastic sheeting and surrounded by straw wattles.

8.1.2. Construction Sites. No heavy equipment of any kind shall be operated during the winter period, unless authorized for emergency repairs. Any exposed soil resulting from summertime construction activities or heavy equipment use will be reseeded with native grass, flower, and forb mixture and mulched at a rate of 2 tons/acre. Straw wattles or jute mat will be placed on or at the toe of any exposed spoils deposits/contours.

8.1.3. Agricultural Chemicals. All unused fertilizers, nutrients, amendments, and pesticides will remain in their original containers in secondary containment bins within the shipping container (Site 06) near the cultivation area.

8.1.4. Waste and Refuse. All cannabis plant material will be placed in the designated compost areas. All other solid wastes shall be taken to a licensed designated waste management facility. On-site collection containers shall remain covered and secured so as to not blow away during winter storms. The septic system shall be pumped by a licensed servicer as needed.

8.2. Maintenance Activities

All sediment and erosion control features (i.e. driveway drainage ditches, driveway surface, and soil coverings and wattles) will be monitored weekly year-round and before and after storm events in the winter months. Any debris will be removed from driveway drainage features. If emergency driveway or bioswale maintenance is required during the winter months, NCRWB staff will be immediately notified and a schedule of repair activities will be determined based on consult with NCRWB.

8.3. Revegetation Activities

Any exposed soil resulting from project activities or heavy equipment use will be reseeded with native grass, flower, and forb mixture prior to the onset of fall rains, or mulched with a native grass straw/hay mixture which will not only reduce erosion, but provide a mechanism for reseeding during the wet season.

8.4. Compliance Schedule

All Interim BPTC measures will be completed before the onset of the winter period (November 15) and/or immediately following land disturbance or other site development activities. All other Long-term BPTC will be completed prior to the onset of the winter period in 2020.

8.5. Legacy Waste Discharges

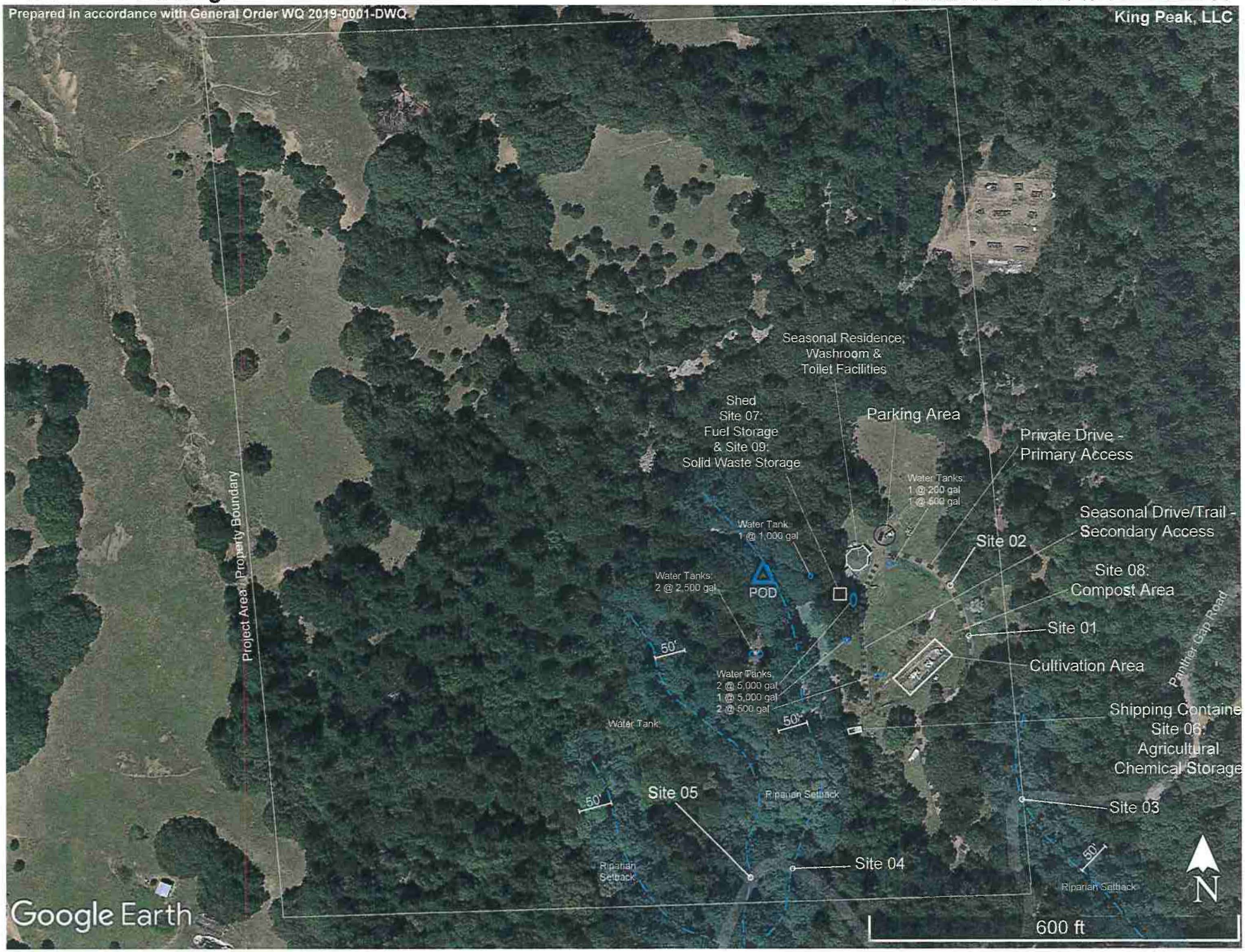
No legacy waste discharge issues exist on the property (parcel) where the Project is located.

SWRCB Site Management Plan - SITE MAP

Humboldt Co. APN:107-236-013

Prepared in accordance with General Order WQ 2019-0001-DWQ

King Peak, LLC



TIMBER HARVEST PLAN

DATED JULY 12, 2003

FOR ADMIN. USE ONLY
Amendments-date & S or M

1. _____ 7. _____
2. _____ 8.
3. _____ 9. _____
4. _____ 10. _____
5. _____ 11.
6. _____ 12.

TIMBER HARVESTING PLAN

STATE OF CALIFORNIA
DEPARTMENT OF FORESTRY
AND FIRE PROTECTION
RM-63 (01-00)

FOR ADMIN. USE ONLY

THP No. 1-03-122 HUM

Dates Rec'd JUL 02 2003

THP Name: **Davey Boys**

(In the CDF FPS, this is "THP Description")

Date Filed JUL 12 2003

Date Approved OCT 01 2003

If this is a Modified THP, check box: [ ]

Date Expires SEPT 30 2006

Extensions 1) [ ] 2) [ ]

This Timber Harvesting Plan (THP) form, when properly completed, is designed to comply with the Forest Practice Act (FPA) and Board of Forestry and Fire Protection rules. See separate instructions for information on completing this form. NOTE: The form must be printed legibly in ink or typewritten. The THP is divided into six sections. If more space is necessary to answer a question, continue the answer at the end of the appropriate section of your THP. If writing an electronic version, insert additional space for your answer. Please distinguish answers from questions by *font change*, **bold** or underline.

SECTION I - GENERAL INFORMATION

This THP conforms to my/our plan and upon approval, I/we agree to conduct harvesting in accordance therewith. Consent is hereby given to the Director of Forestry and Fire Protection, and his or her agents and employees, to enter the premises to inspect timber operations for compliance with the Forest Practice Act and Forest Practice Rules.

1. TIMBER OWNER(S) OF RECORD: JOHN W DAVEY / KYLE J DAVEY

Address 1168 JOHN HILL RD

City EUREKA State CA Zip 95501 Phone (707) 444-35[illegible]

Signature John W Davey Kyle J Davey Date 6/11/03

NOTE: The timber owner is responsible for payment of a yield tax. Timber Yield Tax information may be obtained at the Timber Tax Section, MIC: 60, State Board of Equalization, P.O. Box 942879, Sacramento, California 94279-0060; phone 1-800-400-7115; BOE Web Page at http:// www.boe.ca.gov.

2. TIMBERLAND OWNER(S) OF RECORD: Name JOHN W DAVEY / KYLE J. DAVEY

Address 1168 JOHN HILL RD

City EUREKA State CA Zip 95501 Phone (707) 444-357[illegible]

Signature John W Davey Kyle J Davey Date 6/11/03

3. LICENSED TIMBER OPERATOR(S): Name Unknown Lic. No.
(If unknown, so state. You must notify CDF of LTO prior to start of operations)

Address

City _____ State _____ Zip _____ Phone

Signature _____ Date

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8. Location of the timber operation / egal description:
Base and Meridian: [ ] Mount Diablo [X] Humboldt [ ] San Bernardino

Section (Optional)	Township	Range	Acreage	County	Assessor's Parcel Number
36	2S	1E	9.5	HUM	

TOTAL ACREAGE 9.5 (Logging Area Only)

Bull Creek 7.5' USGS Quadrangle

Planning Watershed: CALWATER Version, Identification Number, and Name: Westlund Creek (1112.300302)

9. [ ] Yes [X] No Has a Timberland Conversion been submitted? If yes, list expected approval date or permit number and expiration date if already approved.

10. [ ] Yes [X] No Is there an approved Sustained Yield Plan for this property? Number _____ Date app.

[ ] Yes [X] No Has a Sustained Yield Plan been submitted but not approved? Number _____ Date sub.

11. [ ] Yes [X] No Is there a THP or NTMP on file with CDF for any portion of the plan area for which a Report of Satisfactory Stocking has not been issued by CDF?
If yes, identify the THP or NTMP number(s):

[ ] Yes [X] No Is there a contiguous even aged unit with regeneration less than five years old or less than five feet tall? If yes, explain. Ref. Title 14 CCR 913.1 (933.1, 953.1) (a)(4).

12. [X] Yes [ ] No Is a Notice of Intent necessary for this THP?
[X] Yes [ ] No If yes, was the Notice of Intent posted as required by 14 CCR 1032.7 (g)?

13. RPF preparing the THP: Name Michael W. Miles Jr RPF Number 2704

Address 2341 16th Street

City Eureka State CA Zip 95501 Phone (707) 845 - 2979

a. [X] Yes [ ] No I have notified the plan submitter(s), in writing, of their responsibilities pursuant to 14 CCR 1035 of the Forest Practice Rules.

See plan addendum to item 13 (a) in THP section III.

[X] Yes [ ] No I have notified the timber owner and the timberland owner of their responsibilities for compliance with the Forest Practice Act and rules, specifically the stocking requirements of the rules and the maintenance of erosion control structures of the rules.

See plan addendum to item 13 (a) in THP section III.

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[X] Yes [ ] No I have notified the timber owner and the timberland owner of their responsibilities for compliance with the [ ]st Practice Act and rules, specifically the stoc[ ] requirements of the rules and the maintenance of erosion control structures of the rules.

See plan addendum to item 13 (a) in THP section III.

). [X] Yes [ ] No I will provide the timber operator with a copy of the portions of the approved THP as listed in 14 CCR 1035 (e). If "no", who will provide the LTO a copy of the approved THP?

I or my supervised designee will meet with the LTO prior to commencement of operations to advise of sensitive conditions and provisions of the plan pursuant to 14 CCR 1035.2.

c. I have the following authority and responsibilities for preparation and administration of the THP and timber operation. (Include both work completed and work remaining to be done):

1) THP preparation and any amendments requested by the plan submitter.
2) Protection of the interests of the timber and timberland owner.
3) The RPF is not responsible for the implementation or administration of the plan, or supervision and conduct of timber operations.
4) The LTO, the plan submitter, and the Department are hereby notified that the plan preparing RPF has been retained to provide professional advice throughout the timber operations. This responsibility can be removed by a minor amendment to the THP.
5) The plan preparing RPF does not have any known current or potential conflict of interest with regard to the timber or land subject to operations under the plan. The timberland owner and plan submitter are the real party of interest for whom I am providing professional forestry services.
6) Disclosure of newly discovered conflicts of interest with regard to the plan submitter, timberland owner, timber owner, the LTO and timber purchaser, pertaining to the timber or land that is subject to operations under the plan, shall be required as long as I have responsibilities relative to the plan. The disclosure shall include identification of the real party for whom the RPF is providing professional forestry services.
7) All disclosures made between myself and an affected party pursuant to this section (14 CCR 1035.1) may be kept confidential.
8) If a preharvest inspection is to be held, the LTO who will operate under the plan, if known, shall be invited to participate.

d. Additional required work requiring an RPF, which I do not have the authority or responsibility to perform:

I do not assume responsibility for additional work requiring an RPF when the services of the RPF who prepared the plan are not specified by the Forest Practice Rules, unless said work is performed by myself or under my direction. The plan submitter may designate any RPF to amend or conduct post approval field work requiring a RPF.

e. After considering the rules of the Board of Forestry and Fire Protection and the mitigation measures incorporated in this THP, I have determined that the timber operation:

[ ] will have a significant adverse impact on the environment. (Statement of reasons for overriding considerations contained in Section III).

[X] will not have a significant adverse impact on the environment.

Registered Professional Forester: I certify that I, or my supervised designee, personally inspected the THP area, and this plan complies with the Forest Practice Act, the Forest Practice Rules and the Professional Foresters Law. If this is a Modified THP, I also, certify that: 1) the conditions or facts stated in 14 CCR 1051 (a) (1) - (16) exist on the THP area at the time of submission, preparation, mitigation, and analysis of the THP and no identified potential significant effects remain undisclosed; and 2) I, or my supervised designee, will meet with the LTO at the THP site, before timber operations commence, to review and discuss the contents and implementation of the Modified THP.

ignature Michael W. [illegible] June 25, 2003 Date

SECTION II - PLAN OF TIMBER OPERATIONS

NOTE: If a provision of this THP is proposed that is different than the standard rule, the explanation and justification should normally be included in Section III unless it is clearer and better understood as part of Section II.

14. a. Check the Silvicultural methods or treatments allowed by the rules that are to be applied under this THP. Specify the option chosen to demonstrate Maximum Sustained Production (MSP) according to 14 CCR 913 (933, 953) .11. If more than one method or treatment will be used show boundaries on map and list approximate acreage for each.

[X] Clearcutting 9.5 ac. [ ] Shelterwood Prep. Step _____ ac. [ ] Seed Tree Seed Step _____ ac.
[ ] Shelterwood Seed Step _____ ac. [ ] Seed Tree Removal Step _____ ac.
[ ] Shelterwood Removal Step_____ ac.

[ ] Selection _____ ac. [ ] Group Selection _____ ac. [ ] Transition _____ ac.

[ ] Commercial Thinning _____ac. [ ] Road Right of Way_____ ac. [ ] Sanitation Salvage _____ ac,

[ ] Special Treatment Area_____ac. [ ] Rehab. of Understocked Area _____ ac. [ ] Fuelbreak _____ ac.

[ ] Alternative _____ac. [ ] Conversion _____ ac. [ ] Non-Timberland Area _____ac.

Total acreage 9.5 ac.: Explain if total is different from that in 8. MSP option chosen: (a) [ ] (b) [ ] (c) [X]

b. If Selection, Group Selection, Commercial Thinning, Sanitation Salvage or Alternative methods are selected the post harvest stocking levels (differentiated by site if applicable) must be stated. Note mapping requirements of 1034 (x) (12).

Not Applicable.

c. [ ] Yes [X] No Will evenage regeneration step units be larger than those specified in the rules (20 acres tractor, 30 acres cable)? If yes, provide substantial evidence that the THP contains measures to accomplish any of subsections (A) - (E) of 14 CCR 913 (933, 953) .1 (a) (2) in Section III of the THP. List below any instructions to the LTO necessary to meet (A) - (E) not found elsewhere in the THP. These units must be designated on map and listed by size.

d. Trees to be harvested or retained must be marked by or marked under the supervision of the RPF. Specify how the trees will be marked and whether harvested or retained.

Conifers to be retained within the harvest boundaries for the benefit of wildlife and aesthetics shall be identified with an "L" at breast height and a stump mark. No hardwoods shall be harvested except for those which present a hazard or otherwise interfere with timber operations. The LTO shall leave all snags unless a safety hazard exists.

[ ] Yes [X] No Is a waiver of marking by the RPF requirement requested? If yes, how will LTO determine which trees will be harvested or retained? If yes and more than one silvicultural method, or Group Selection is to be used, how will LTO determine boundaries of different methods or groups?

e. Forest products to be harvested: Saw logs, chip logs, wood chips, and fuelwood.

f. [ ] Yes [X] No Are group B species proposed for management?
[ ] Yes [X] No Are group B or non-indigenous A species to be used to meet stocking standards?
[ ] Yes [X] No Will group B species need to be reduced to maintain relative site occupancy of A species?

If any answer is yes, list the species, describe treatment, and provide the LTO with necessary felling and slash treatment guidance. Explain who is responsible and what additional follow-up measures of manual treatment or herbicide treatment are to be expected to maintain relative site occupancy of A species. Explain when a licensed Pest Control Advisor shall be involved in this process.

g. Other instructions to LTO concerning felling operations.

To the fullest extent possible and with due consideration given topography, lean of trees, local obstructions, and safety factors, trees to be harvested shall be felled to lead in a direction away from watercourses, designated leave trees, snags, and healthy conifer regeneration.

h. [X] Yes [ ] No Will artificial regeneration be required to meet stocking standards?

i. [X] Yes [ ] No Will site preparation be used to meet stocking standards? If yes, provide the information required for a site preparation addendum, as per 14 CCR 915.4 (935.4, 955.4).

1) The following site preparation methods may be used within the harvest area to prepare for planting: mechanical and/or hand piling, burning of piles and concentrations of slash. Broadcast burning is not proposed.
2) Mechanical piling operations shall be conducted by track or rubber tired ground-based equipment and shall be restricted to slopes < 50%.
3) Fuelbreaks may be constructed using hand techniques and/or ground-based equipment except where restricted. Restricted areas for ground-based equipment include the class III Equipment Limitation Zone (ELZ) and slopes greater than 50% unless using an existing or designated skid trail as per 14CCR 914.2 (f).
4) Where feasible slash shall be piled away from leave trees, snags, and conifer regeneration.
5) The person responsible for the conduct of mechanical site preparation activities shall be the LTO, who is to be amended to the THP prior to the start of timber operations.
6) Mechanical site preparation is prohibited between October 15 and May 1, unless a winter period operating plan stating otherwise, is prepared for and amended into the THP. Regardless of the time of year, mechanical site preparation shall not occur when soils are "saturated" as defined in 14CCR 895.1.
7) The person responsible for the conduct of site preparation burning is the landowner (see THP Section I, item 2).
8) All burns are conducted pursuant to permits issued by CDF. Burning shall be limited to winter, spring, and fall when fuel moisture conditions, relative humidity, and atmospheric conditions such as wind are conducive to controlled burning.

j. If the rehabilitation method is chosen provide a regeneration plan as required by 14 CCR 913 (933, 953) .4 (b).

Not applicable.

PESTS

15. a. [X] Yes [ ] No Is this THP within an area that the Board of Forestry and Fire Protection has declared a Zone of Infestation or Infection, pursuant to PRC 4712 - 4718? If yes, identify feasible measures being taken to mitigate adverse infestation or infection impacts from the timber operation. See 14 CCR 917 (937, 957) .9 (a).

The RPF is aware of Sudden Oak Death (SOD) disease in northern California and that Humboldt County has been declared by the Board of Forestry to be in the "Zone of Infestation", and as such that the County is a regulated area subject to quarantine restrictions limiting movement of host plant material. The timber stand proposed for harvest does contain a component of hardwoods and plant

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species that are susceptible to this disease however, the RPF is aware of no evidence suggesting SOD occurs in the THP vicinity or elsewhere on the landowner's property.

Plants, plant parts, unprocessed wood and wood products, and other products of Sudden Oak Death hosts, created as a result of timber harvest, cannot be moved within or outside of regulated counties infested with SOD without written authorization of the County Agricultural Commissioner incorporated in the THP/NTMP, or without a CDF approved harvest document containing specific information which meets CDFA regulations. The following SOD language complies with the current CDFA regulations.

All SOD host material with bark can only be moved off-site with a valid compliance agreement (ref. CCR Div. 4, Sub Chap. 6, Section 3700). For THPs, a compliance agreement may be either written approval from the county or the inclusion of specific mitigations and language in the THP document. For compliance with CDFA regulations, and for the THP to act as a compliance agreement, THPs located in the SOD ZOI need to address mitigation measures to avoid movement of host material (ref. also 14CCR 917.9 and 917.10). If the plan submitter intends to continue using the plan as the compliance agreement, the THP must be amended each year by the anniversary date of THP approval.

A. California counties known at the time of plan submittal to harbor SOD include Alameda, Contra Costa, Humboldt, Marin, Mendocino, Monterey, Napa, San Mateo, Santa Clara, Santa Cruz, Solano, and Sonoma, plus Curry County in southern Oregon.

B. List of all known SOD host species at the time of plan submittal: Big leaf maple (*Acer macrophyllum*), Black oak (*Quercus kellogii*), California bay laurel (*Umbellularia californica*), California buckeye (*Aesculus californica*), California coffeeberry (*Rhmnus californica*), California honeysuckle (*Lonicera hispidula*), Canyon live oak (*Quercus chrysolepis*), Coast live oak (*Quercus agrifolia*), Coast redwood (*Sequoia sempervirens*), Douglas-fir (*Pseudotsuga menziesii*), Huckleberry (*Vaccinium ovatum*), Madrone (*Arbutus menziesii*), Manzanita (*Acrtostaphylos manzanita*), Rhododendron (*Rhododendron spp.*, including azalea), Salmonberry (*Rubus spectabilis*), Shreve's oak (*Quercus parvula var. shrevei*), tanoak (*Lithocarpus densiflorus*), Toyon (*Heteromeles arbutifolia*), and Western Starflower (*Trientalis latifolia*).

C. Host material will be removed from the THP area in the form of sawlogs, chips, or fuelwood. Regulated parts of Coast redwood and Douglas-fir include needles, twigs, and branches less than 1" in diameter, while barks, logs, and sawdust are not regulated.

D. If any host material is to be moved outside of the regulated area, it will not be moved from the regulated area until appropriate State and Federal permits are obtained. A copy of the permit shall be amended into the plan prior to movement of any host materials authorized under the permit. (Note: A THP may not substitute for compliance agreements or permits when material is to be moved outside of the regulated area.

E. For movement of host material within the regulated area, this THP, once approved, will act as that compliance agreement, with the following enforceable mitigation measures in effect. Chips or other material originating from host plant parts, less than 4" in diameter, will be moved in a closed container. Movement of host material greater than 4" in diameter does not require a closed container. The LTO shall take reasonable steps to check over and underneath the vehicle, and remove any host plant debris from log trucks, "crummies," loaders, pickups etc. leaving the plan area to ensure that host plant material does not move from the site. This would include branches, limbs, leaves, etc. stuck in log loads as well as leaves of hosts encased in mud, and removal of all limbs from redwood and Douglas-fir logs.

F. The RPF responsible for providing advice to the LTO shall inform the LTO regarding the current SOD hosts and what comprises the regulated area, prior to the start-up of initial operations and throughout the active periods of the life of the THP.

H. Information on the disease and its hosts, can be obtained from the California Oak Mortality Task Force web page at www.suddenoakdeath.org. Information regarding the California Department of Food and Agriculture regulation (i.e. Section 3700), which includes the commodities covered and restrictions required can be seen at http://pi.cdfa.ca.gov/pqm/manual/455.htm.

b. [ ] Yes [X] No If outside a declared zone, are there any insect, disease or pest problems of significance in the THP area? If yes, describe the proposed measures to improve the health, vigor, and productivity of the stand(s).

HARVESTING PRACTICES

16. Indicate type of yarding system and equipment to be used:

GROUND BASED*	CABLE	SPECIAL
a. [X] Tractor, including end/long lining	d. [ ] Cable, ground lead	g. [ ] Animal
b. [X] Rubber tired skidder, Forwarder	e. [ ] Cable, high lead	h. [ ] Helicopter
c. [X] Feller buncher	f. [ ] Cable, Skyline	i. [ ] Other

* All tractor operations restrictions apply to ground based equipment.

17. Erosion Hazard Rating: Indicate Erosion Hazard Ratings present on THP. (Must match EHR worksheets)

[ ] Low [X] Moderate [ ] High [ ] Extreme

If more than one rating is checked, areas must be delineated on map down to 20 acres in size (10 acres for high and Extreme EHRs in the Coast District).

18. Soil Stabilization: In addition to the standard waterbreak requirements describe soil stabilization measures or additional erosion control measures to be implemented and the location of their application. See requirements of 14 CCR 916.7 (936.7, 956.7), and 923.2 (943.2, 963.2) (m), and 923.5 (943.5, 963.5) (f).

As per 14CCR 916.7 and 916.9(n)(3)(A)(B)&(D), areas within the Class III Equipment Limitation Zone (ELZ), disturbed by timber operations resulting in exposed bare mineral soils, shall be treated for soil stabilization under the following conditions:

- All disturbed areas exceeding 100 contiguous square feet within the ELZ.
- The approaches to the designated class III tractor road watercourse crossing shall be treated for soil stabilization as described above, between the drainage facilities closest to the crossing including areas outside the ELZ, if the closest drainage facilities are located outside the ELZ.
- Any other area of disturbed soil that threatens to discharge sediment into waters in amounts deleterious to the quality and beneficial uses of water

As per 14CCR 916.9(n)(4), where the undisturbed ground cover cannot effectively protect beneficial uses of water from timber operations, the ground shall be treated by measures including, but not limited to, seeding, mulching, or replanting, in order to retain and improve its natural ability to filter sediment, minimize soil erosion, and stabilize banks of watercourses and lakes.

Treatment for soil stabilization shall include the use of straw mulch or other appropriate material less than 3" in diameter (logging slash, brush, etc.). Coverage rate shall be at least 90% of the disturbed area at the time of application. In addition, grass seed shall be applied at a rate of at least 25 pounds per acre. Disturbed area shall be "treated" to the extent necessary to prevent the discharge of soil into watercourses or lakes in amounts deleterious to the quality and beneficial uses of water. Timing of this soil stabilization treatment shall occur prior to the start of any rain that causes overland flow across or along the disturbed surface and no later than October 15. No timber operations are proposed between October 15 and May 1.

All tractor roads shall have waterbreaks installed as soon as practical following yarding and prior to either (1) the start of any rain which causes overland flow across or along the disturbed surface within a WLPZ or any ELZ or EEZ designated for watercourse or lake protection, or (2) any day with a National Weather Service Forecast of a chance of rain of 30% or more, a flash flood warning, or a flash flood watch.

19. [ ] Yes [X] No Are tractor or skidder constructed layouts to be used? If yes, specify the location and extent of use:

20. [ ] Yes [X] No Will ground based equipment be used within the area(s) designated for cable yarding? If yes,

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sediment before it reaches a watercourse or lake?

If a. is yes, provide site specific measures to minimize effect of operations on slope stability below. Provide explanation and justification in section III as required per 14 CCR 914 (934, 954) .2 (d). CDF requests the RPF consider flagging tractor road locations if "a." is yes.

If b., c., d. or e. is yes:

1) the location of tractor roads must be flagged on the ground prior to the PHI or start of operations if a PHI is not required, and
2) you must clearly explain the proposed exception and justify why the standard rule is not feasible or would not comply with 14 CCR 914 (934, 954).

The location of heavy equipment operation on unstable areas or any use beyond the limitations of the standard rules must be shown on the map. List specific instructions to the LTO below.

22. [ ] Yes [X] No Are any alternative practices to the standard harvesting or erosion control rules proposed for this plan? If yes, provide all the information as required by 14 CCR 914 (934, 954) .9 in Section III.

List specific instructions to the LTO below.

WINTER OPERATIONS

23. a. [ ] Yes [X] No Will timber operations occur during the winter period? If yes, complete "b, c, or d." State in space provided if exempt because yarding method will be cable, helicopter, or balloon.

b. [ ] Yes [X] No Will mechanical site preparation be conducted during the winter period? If yes, complete "d".

c. [ ] I choose the in-lieu option as allowed in 14 CCR 914 (934, 954) .7 (c). Specify below the procedures listed in subsections (1) and (2), and list the site specific measures for operations in the WLPZ and unstable areas as required by subsection (3), if there will be no winter operations in these areas, so state.

d. [ ] I choose to prepare a winter operating plan per 14 CCR 914 (934, 954) .7 (b).

The THP is located in a "Watershed with Threatened or Impaired Values". As per 916.9(k), since no winter period operating plan is proposed, no timber operations shall occur between October 15 and May 1.

NOTE: "Winter period" means the period between November 15 and April 1, except as noted under special County Rules at Title 14 CCR 925.1, 926.18, 927.1, and 965.5... (a) except as otherwise provided in the rules: (1) All waterbreaks shall be installed no later than the beginning of the winter period of the current year of timber operations. (2) Installation of drainage facilities and structures is required from October 15 to November 15 and April 1 to May 1 on all constructed skid trails and tractor roads prior to sunset if the National Weather Service forecast is a "chance" (30% or more) of rain within the next 24 hours.

ROADS AND LANDINGS

24. Will any roads be constructed? [X] Yes [ ] No, or reconstructed? [ ] Yes [X] No. If yes, check items "a." through "g."

Will any landings be constructed? [X] Yes [ ] No, or reconstructed? [ ] Yes [X] No. If yes, check items "h." through "k."

a. [ ] Yes [X] No Will new or reconstructed roads be wider than single lane with turnouts?

specify the location and for what purpose the equipment will be used. See 14 CCR 914.3 (934.3, 954.3) (e).

21. Within the THP area will ground based equipment be used on:

a. [ ] Yes [X] No Unstable soils or slide areas? Only allowed if unavoidable.
b. [ ] Yes [X] No Slopes over 65%?
c. [ ] Yes [X] No Slopes over 50% with high or extreme EHR?
d. [ ] Yes [X] No Slopes between 50% and 65% with moderate EHR where heavy equipment use will <u>not</u> be restricted to the limits described in 14 CCR 914 (934, 954) .2 (f) (2) (i) or (ii)?

e. [ ] Yes [X] No Slopes over 50% which lead without flattening to sufficiently dissipate water flow and trap

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b. [ ] Yes [X] No Are logging roads proposed in areas of unstable soils or known slide-prone areas?

c. [ ] Yes [X] No Will new roads exceed a grade of 15% or have pitches up to 20% for distances greater than 500 feet? Map must identify any new or reconstructed road segments that exceed an average 15% grade for over 200 feet.

d. [ ] Yes [X] No Are roads to be constructed or reconstructed, other than crossings, within the WLPZ of a watercourse? If yes, completion of THP Item 27 a. will satisfy required documentation.

e. [ ] Yes [X] No Will roads be located across more than 100 feet of lineal distance on slopes over 65%, or on slopes over 50% which are within 100 feet of the boundary of a WLPZ?

f. [ ] Yes [X] No Will any roads or watercourse crossings be abandoned?

g. [ ] Yes [X] No Are exceptions proposed for flagging or otherwise identifying the location or roads to be constructed?

h. [ ] Yes [X] No Will any landings exceed one half acre in size? If any landing exceeds one quarter acre in size or requires substantial excavation the location must be shown on the map.

i. [ ] Yes [X] No Are any landings proposed in areas of unstable soils or known slide prone areas?

j. [ ] Yes [X] No Will any landings be located on slopes over 65% or on slopes over 50% which are within 100 feet of the boundary of a WLPZ?

k. [ ] Yes [X] No Will any landings be abandoned?

25. If any section in "item 24" above is answered yes, specify site-specific measures to reduce adverse impacts and list any additional or special information needed by the LTO concerning the construction, maintenance, and/or abandonment of roads or landings, as required by 14 CCR Article 12. Include required explanation and justification in THP Section III.

WATERCOURSE AND LAKE PROTECTION ZONE (WLPZ) AND DOMESTIC WATER SUPPLY PROTECTION MEASURES

26. a. [X] Yes [ ] No Are there any watercourse or lakes which contain Class I through IV waters on or adjacent to the plan area? If yes, list the class, WLPZ or ELZ width, and protective measures determined from Table I and/or 14 CCR 916 (936, 956) .4 (c) of the WLPZ rules for each watercourse. Specify if Class III or IV watercourses have WLPZ , ELZ or both.

One class III watercourse exists within the Harvest Plan boundaries. The following Equipment Limitation Zone (ELZ) Widths shall be provided for this watercourse:

Slopes < 30% = 25' ELZ
Slopes > 30% = 50' ELZ

Soil deposited during timber operations in a Class III watercourse other than at a temporary crossing shall be removed and debris deposited during timber operations shall be removed or stabilized before the conclusion of timber operations, or before October 15. If a temporary crossing is utilized for this watercourse, it shall be removed before October 15.

As per 14CCR 916.7, where mineral soil has been exposed by timber operations within the class III ELZ , the disturbed area shall be stabilized to the extent necessary to prevent the discharge of soil into the watercourse in amounts deleterious to the quality and beneficial uses of water. The proposed methods of soil stabilization, including enforceable application standards and timing of treatment are provided in item 18 of this Section of the THP.

As per 14CCR 916.9(e), timber operations within the class III channel zone shall be limited to designated temporary tractor crossing and the harvest of merchantable timber. The exclusion of timber operations is not needed for the protection of listed salmonids.

b. [X] Yes [ ] No Are there any watercourse crossings that require mapping per 14 CCR 1034 (x) (7)?

c. [ ] Yes [X] No Will tractor road watercourse crossings involve the use of a culvert? If yes state minimum diameter and length for each culvert (may be shown on map).

The class III watercourse is expected to be dry during time of use. If water is present, a minimum 6" diameter pipe, at least 15 feet in length shall be utilized in the temporary crossing. The crossing shall be reshaped to a stable condition, as close to its preharvest condition as feasible, and treated as described above.

d. [ ] Yes [X] No Is this THP Review Process to be used to meet Department of Fish and Game CEQA review requirements? If yes, attach the 1603 Addendum below or at the end of this Section II; provide the background information and analysis in Section III; list instructions for LTO below for the

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installation, protection measures, and mitigation measures as per THP Form Instructions or CDF Mass Mailing, 07/02/1999, "Fish and Game Code 1603 Agreements and THP Documentation".

27. Are site specific practices proposed in-lieu of the following standard WLPZ practices?

a. [ ] Yes [X] No Prohibition of the construction or reconstruction of roads, construction or use of tractor roads or landings in Class I, II, III, or IV watercourses, WLPZs, marshes, wet meadows, and other wet areas except as follows:
   (1) At prepared tractor road crossings.
   (2) Crossings of Class III watercourses which are dry at time of timber operations.
   (3) At existing road crossings.
   (4) At new tractor and road crossings approved by Department of Fish and Game.

b. [ ] Yes [X] No Retention of non-commercial vegetation bordering and covering meadows and wet areas?

c. [ ] Yes [X] No Directional felling of trees within the WLPZ away from the watercourse or lake?

d. [ ] Yes [X] No Decrease of width(s) of the WLPZ(s)?

e. [ ] Yes [X] No Protection of watercourses which conduct class IV waters?

f. [ ] Yes [X] No Exclusion of heavy equipment from the WLPZ except as follows:
   (1) At prepared tractor road crossings.
   (2) Crossings of Class III watercourses which are dry at time of timber operations.
   (3) At existing road crossings.
   (4) At new tractor and road crossings approved by Department of Fish and Game.

g. [ ] Yes [X] No Establishment of ELZ for Class III watercourses unless sideslopes are <30% and EHR is low?

h. [ ] Yes [X] No Retention of at least 50% of the overstory canopy in the WLPZ?

i. [ ] Yes [X] No Retention of at least 50% of the understory in the WLPZ?

j. [ ] Yes [X] No Are any additional in-lieu or any alternative practices proposed for watercourse or lake protection?

NOTE: A yes answer to any of items "a." through "j." constitutes an in-lieu practice. If any item is answered yes, refer to 14 CCR 916 (936, 956).1 and address the following for each item checked yes:

1. The RPF shall state the standard rule;
2. Explain and describe each proposed practice;
3. Explain how the proposed practice differs from the standard practice;
4. The specific location where it shall be applied, see map requirements of 14 CCR 1034 (x) (15) and (16);
5. Provide in THP Section III an explanation and justification as to how the protection provided is equal to the standard rule and provides for the protection of the beneficial uses of water, as per 14 CCR 916 (936, 956) .1 (a). Reference the in-lieu and location to the specific watercourse to which it will be applied.

28. a. [X] Yes [ ] No Are there any landowners within 1000 feet downstream of the THP boundary whose ownership adjoins or includes a class I, II, or IV watercourse(s) which receives surface drainage from the proposed timber operations? If yes, the requirements of 14 CCR 1032.10 apply. Proof of notice by letter and newspaper should be included in THP Section V. If No, "28 b." need not be answered.

b. [X] Yes [ ] No Is an exemption requested of the notification requirements of 14 CCR 1032.10? If yes, an explanation and justification for the exemption must appear in THP Section III. Specify if requesting an exemption from the letter, the newspaper notice or both.

Newspaper notice was provided on May 5 – 6, 2003.
An exemption from letter notification is requested and is explained and justified in Section III.

c. [ ] Yes [X] No Was any information received on domestic water supplies that required additional mitigation beyond that required by standard Watercourse and Lake Protection rules? If yes, list site specific measures to be implemented by the LTO.

29. [ ] Yes [X] No Is any part of the THP area within a Sensitive Watershed as designated by the Board of Forestry and Fire Protection? If yes, identify the watershed and list any special rules, operating procedures or mitigation that will be used to protect the resources identified at risk?

HAZARD REDUCTION

30. a. [ ] Yes [X] No Are there roads or improvements which require slash treatment adjacent to them? If yes, specify the type of improvement, treatment distance, and treatment method.

The access road is a private road not open to public use without permission.

b. [ ] Yes [X] No Are any alternatives to the rules for slash treatment along roads and within 200 feet of structures requested? If yes, RPF must explain and justify how alternative provides equal fire protection. Include a description of the alternative and where it will be utilized below.

31. [ ] Yes [X] No Will piling and burning be used for hazard reduction? See 14 CCR 917.1-.11, 937.1-.10, or 957.1-.10, for specific requirements. Note: LTO is responsible for slash disposal. This responsibility cannot be transferred.

BIOLOGICAL AND CULTURAL RESOURCES

32. a. [X] Yes [ ] No Are any plant or animal species, including their habitat, which are listed as rare, threatened or endangered under federal or state law, or a sensitive species by the Board, associated with the THP area? If yes, identify the species and the provisions to be taken for the protection of the species.

b. [ ] Yes [X] No Are there any non-listed species which will be significantly impacted by the operation? If yes, identify the species and the provisions to be taken for the protection of the species.

Northern Spotted Owl (NSO): No timber operations shall occur until a valid NSO technical assistance letter from the USFWS has been attained and amended into this THP. Surveys for the NSO shall be conducted in conformance with the USFWS approved NSO survey protocol. The CDF/DFG NSO database indicates there are no known Northern Spotted Owl activity centers within 1.3 miles of the THP.

If a NSO activity center is located, the following standard protection measures will be adopted (Note: these measures can be modified through subsequent technical assistance with the USFWS):

Standard Protection Measures

(a) The buffer zone for NSOs shall consist of the area within a 1,000 ft. radius of a tree or trees containing a nest or supporting an activity center.

(b) No timber harvest operations will occur within a 500 ft. radius of a NSO activity center, and at a minimum the habitat qualities of functional roosting habitat (minimum 60% canopy, average stand trees >11" DBH) will be maintained within the area between 500 ft. radius and 1,000 ft. radius.

(c) The critical period for NSO breeding is February 1 until August 31. During the critical period, no timber harvest operations are permitted within the buffer zone.

(d) Helicopter yarding within 0.50 miles of a NSO activity center is prohibited between February 1 until August 31.

(e) A minimum of 500 acres of suitable NSO habitat will be retained within an area out to 0.7 miles, surrounding a tree or trees containing a nest or supporting an activity center. Less than 50% of the retained area will be under operation in any one year.

(f) A minimum of 1,336 acres of suitable NSO habitat will remain post-harvest within the area out to 1.3 miles, surrounding a tree or trees containing a nest or supporting an activity center.

The plan submitter, or the successor in interest will submit any subsequent consultations or letters of technical

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assistance to the Department as enforceable amendments to the plan prior to operations being conducted pursuant to that consultation or [illegible]er of technical assistance.

Golden Eagle: Marginal habitat for this species exists within the THP vicinity and the Biological Assessment Area. Stand searches for large stick nests within and adjacent to the THP area shall be conducted each year prior to timber operations. Should a large stick nest be discovered or if this species is observed within 1,000 feet of the THP area exhibiting breeding or territorial behavior the CDF&G shall be notified. Such stand searches have occurred in April, May, and June of this year (2003). No large stick nests have been discovered. The timberland owner lives on-site of the THP area and has been instructed to report any sighting of this species to the RPF so that this information can be included in the THP for appropriate review. No golden eagles have been sighted in the area this year.

Cooper's hawk, Sharp-shinned hawk – Habitat for these two species exists within and adjacent the THP area. During the required golden eagle stand searches, should any active nests of these two species be discovered or if these species are observed exhibiting breeding or territorial behavior within or adjacent to the THP area, the CDF&G shall be notified for consultation prior to commencement of timber operations. No active nests for these species were observed during stand searches conducted in the months of April, May, and June of 2003.

Red Tree Vole – Habitat for this species exists within the THP area. No sign (i.e. Douglas-fir resin ducts at the base of trees with small nests) of this species was observed during THP layout. While the lack of detection does not rule out the existence of individuals, it does suggest it is unlikely a significant population or colony of this species is present within the THP area. Habitat for this species will decrease as a result of harvest operations, however this temporary decrease is considered insignificant relevant to the available remaining habitat in the BAA post harvest. No additional mitigation is proposed for this species.

Potential habitat for the following rare plants has been identified within the operational boundaries of the THP:

Monardella villosa ssp. Globosa **(robust monardella)** – blooms June-July
Astragalus agnicidus **(Humboldt milk-vetch)** – blooms June – August
Sidalcea malachroides **(maple-leaved checkerbloom)** – blooms May – August
Sidalcea malviflora **ssp. *patula* (Siskiyou checkerbloom)** – blooms May - June
Lycopodium clavatum **(running-pine)** – blooms July – August

A seasonally appropriate rare plant survey for these five species was conducted June 11, 2003 by the plan preparing RPF. The RPF is familiar with the appearance and habitat requirements of these species. The results of this focused, seasonally-appropriate survey were negative.

Refer to section III, item #32, and the cumulative impacts analysis in Section IV for a discussion of Biological Resources associated with the THP.

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33. [X] Yes [ ] No Are there any snags which must be felled for fire protection or safety reasons? If yes, describe which snags are going to be felled and why.

Except for those causing safety or fire hazard concerns, all snags within the THP shall be retained.

34. [ ] Yes [X] No Are any Late Succession Forest Stands proposed for harvest? If yes, describe the measures to be implemented by the LTO that avoid long-term significant adverse effects on fish, wildlife and listed species known to be primarily associated with late succession forests.

35. [ ] Yes [X] No Are any other provisions for wildlife protection required by the rules? If yes, describe.

36. a. [X] Yes [ ] No Has an archaeological survey been made of the THP area?

b. [X] Yes [ ] No Has a current archaeological records check been conducted for the THP area?

c. [ ] Yes [X] No Are there any archaeological or historical sites located in the THP area? Specific site locations and protection measures are contained in the Confidential Archaeological Addendum in Section VI of the THP, which is not available for general public review.

37. [ ] Yes [X] No Has any inventory or growth and yield information designated "trade secret" been submitted in a separate confidential envelope in Section VI of this THP?

38. Describe any special instructions or constraints that are not listed elsewhere in Section II.

The main road shall be watered daily from the end of the county road to the THP to minimize the dust and potential loss of road surface during log hauling operations.

All traffic associated with the timber operations shall observe a maximum 15 mph speed limit on the Panther Gap road.

No timber operations shall occur during the wet weather season between October 15 and May 1st.

The class III Equipment Limitation Zone (ELZ) shall be flagged by the RPF or his supervised designee, prior to the start of timber operations.

DIRECTOR OF FORESTRY AND FIRE PROTECTION

This Timber Harvesting Plan conforms to the rules and regulations of the Board of Forestry and Fire Protection and the Forest Practice Act:

By: Alleah S. Middling (Signature) October 1, 2003 (Date)

Alleah S. Middling (Printed Name) Division Chief, Forest Practice (Title)

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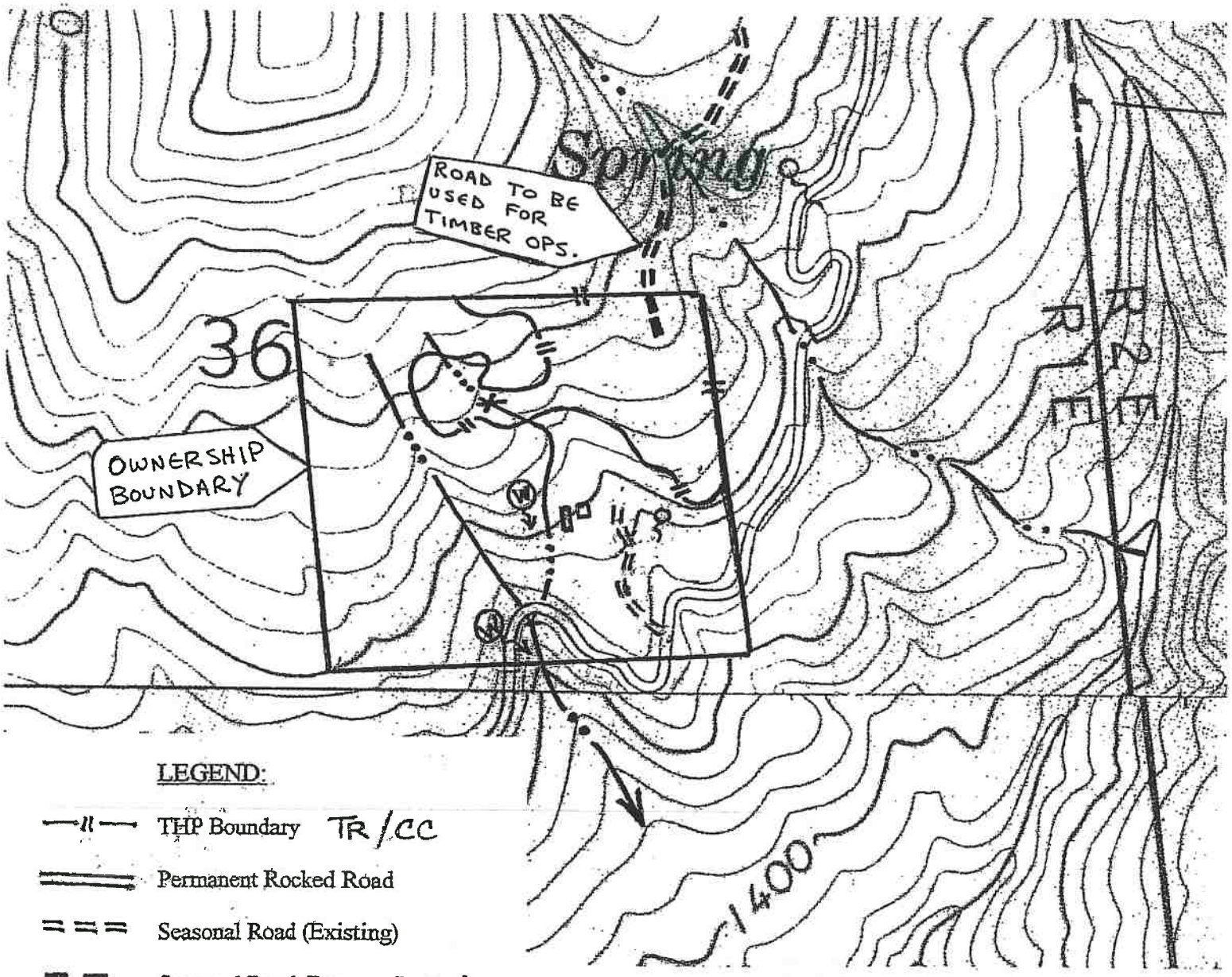
)AVEY BOYS THP MAI
Bull Crk and Honeydew 7.5' Quadrangles
T2S, R1E, Sections 36, HB&M
Scale 1" = 500 feet



LEGEND:

- THP Boundary TR/CC
- Permanent Rocked Road
- Seasonal Road (Existing)
- Seasonal Road (Proposed) 100'
- Class III Watercourse
- Class II Watercourse
- Spring
- Designated Skid Trail Watercourse Xing
- (W) Domestic Water Supply
- Timberland Owner's Dwelling

33. [X] Yes [ ] No Are there any snags which must be felled for fire protection or safety reasons? If yes, describe which snags are going to be felled and why.

Except for those causing safety or fire hazard concerns, all snags within the THP shall be retained.

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By: Alleah S. Middling October 1, 2003
(Signature) (Date)

Alleah S. Middling Division Chief, Forest Practic
(Printed Name) (Title)

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STATE OF CALIFORNIA

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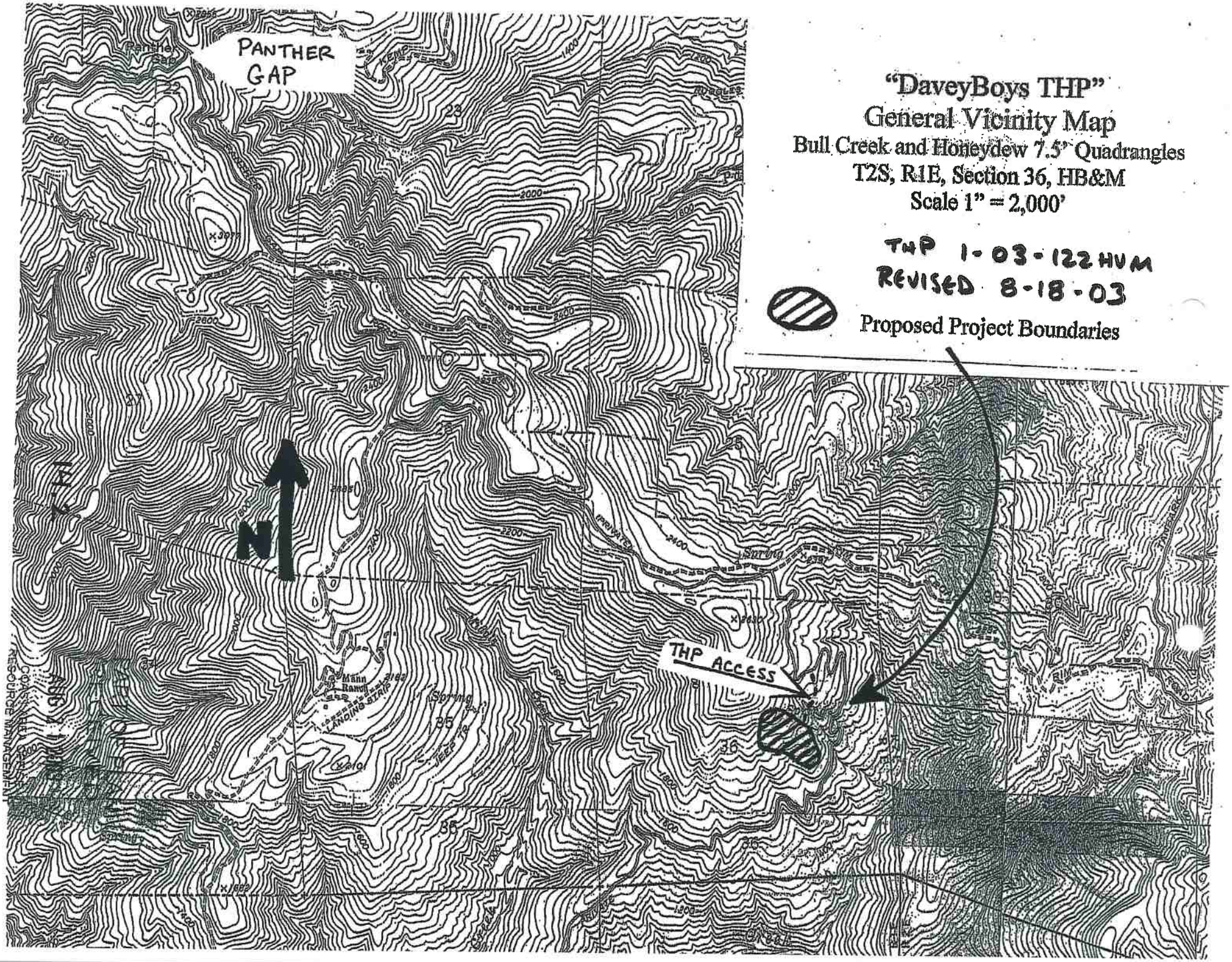

"DaveyBoys THP"
General Vicinity Map
Bull Creek and Honeydew 7.5' Quadrangles
T2S, R1E, Section 36, HB&M
Scale 1" = 2,000'

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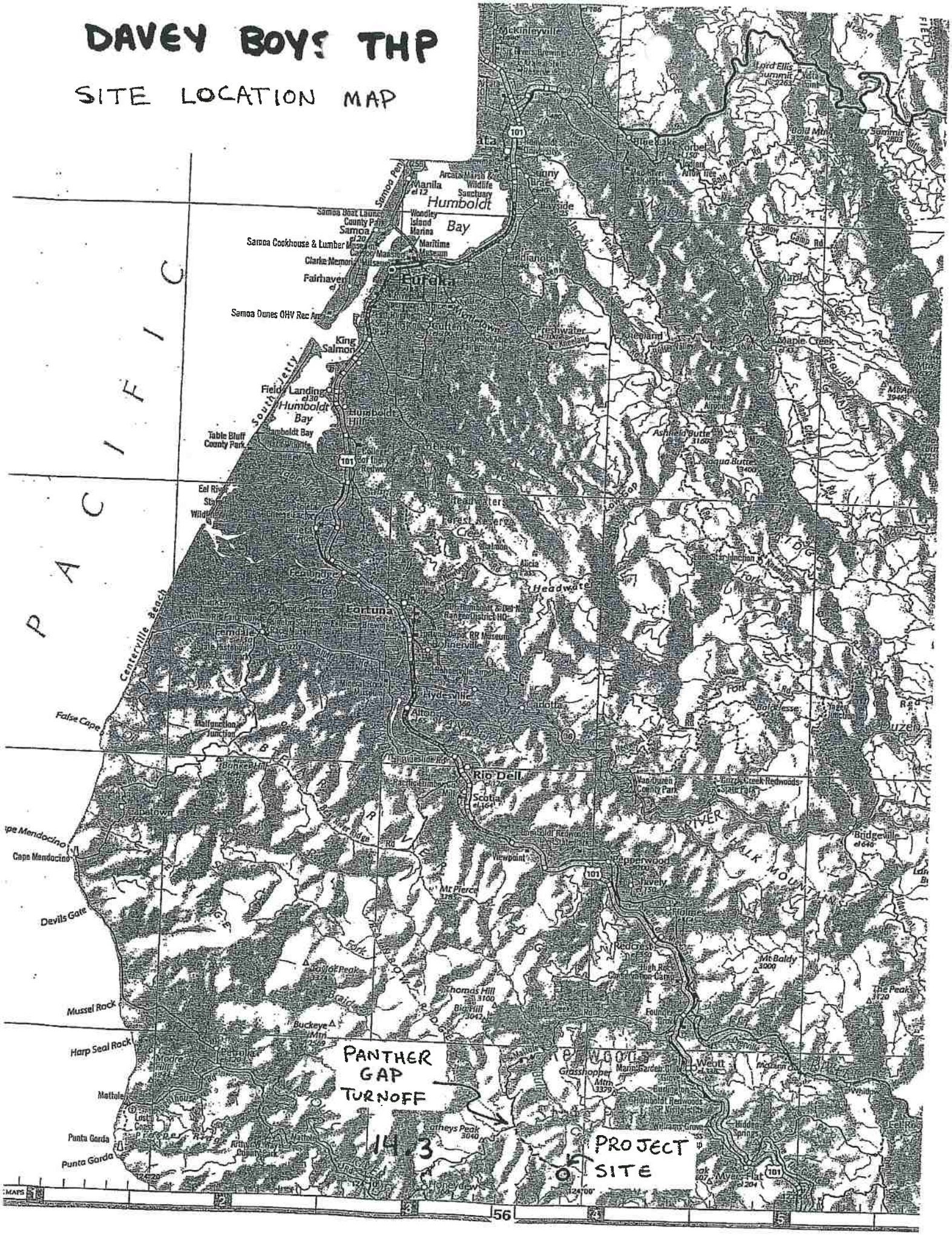
DAVEY BOYS THP

SITE LOCATION MAP



SECTION III
PLAN ADDENDUM TO ITEM 13(a)

Plan Submitter Responsibility (14CCR 1035):

The plan submitter, or successor in interest, shall:

(a) Ensure that an RPF conducts any activities which require an RPF.
(b) Provide the RPF preparing the plan or amendments with complete and correct information regarding pertinent legal rights to, interests in, and responsibilities for land, timber, and access as these affect the planning and conduct of timber operations.
(c) Sign the THP certifying the knowledge of the plan contents and the requirements of this section.
(d) Retain an RPF who is available to provide professional advice to the LTO and timberland owner upon request throughout the active timber operations regarding:
    (A) the plan,
    (B) the Forest Practice Rules, and
    (C) other associated regulations pertaining to timber operations
(e) Within five working days of change in RPF responsibilities for THP implementation or substitution of another RPF, file with the Director a notice which states the RPF's name and registration number, address, and subsequent responsibilities for any RPF required field work, amendment preparation, or operation supervision.
(f) Provide a copy of the portions of the approved THP and any approved operational amendments to the LTO containing the general information, plan of operations, THP map, yarding systems map, Erosion Hazard Rating Map, and any other information deemed by the RPF to be necessary for timber operations.
(g) Notify the director prior to commencement of site preparation operations. Receipt of a burning permit is sufficient notice.

Notification of Commencement of Operations (14CCR 1035.4):

Each calendar year, within fifteen days before, and not later than the day of the start up of timber operation, the Timber Harvesting Plan Submitter, or another person identified by the THP as responsible, shall notify CDF of the start of timber operations. The notification, by telephone or by mail, shall be directed to the appropriate CDF Ranger Unit Headquarters, Forest Practice Inspector, or other designated personnel.

Minimum Stocking Standards (14CCR 1071):

Within five years after the completion of timber operations or as otherwise specified in the rules, a report of stocking on the entire area logged under the plan and shown on a revised map shall be filed with the Director by the timber owner or the agent thereof.

14.4

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SECTION III
GENERAL SITE DESCRIPTION

The nine and one-half acre harvest area is located in the upper Westlund Creek drainage (SE ¼ of section 36, Township 2S, Range 1E, HB&M), approximately five miles east of Honeydew. Westlund Creek drains a watershed of approximately 4.7 square miles. The watershed is divided primarily into small ownerships, with the notable exception of the 3,800 acre Gilliam Buttes Conservation Area which is located in the upper headwaters of the drainage. The watershed consists of a mixed conifer/hardwood forest with some grassland openings along the ridge tops. The Westlund Creek drainage is contained within the Cal Water designated Westlund Creek Planning Watershed and typically receives greater than 160 inches of rain annually.

The harvest area is located approximately 2000 feet above sea level. Topography at the project site consists of a broad south facing ridge with slopes ranging from 10 – 55 percent. The plan area is underlain by bedrock of the Franciscan assemblage which consists of sedimentary rocks including mudstone, siltstone, and sandstone, and volcanic rocks including metamorphosed sandstones and greenstone. Overlying competent bedrock is weathered bedrock and colluvium. According to USGS soil-vegetation maps, the plan area consists of primarily the Hugo (812) soil series. Hugo soils have the following characteristics: surface soils are gravelly loam with a subsoil of stony clay loam. Drainage varies from good to excessive, and timber production is rated as moderate to very high.

The Douglas fir timber to be harvested is approximately 60 years of age. Intermixed with the Douglas fir at a low density level, are various sized tanoak, madrone, and canyon live oak hardwoods, and occasional pockets of Douglas fir regeneration. The forest floor is generally open with infrequent ground cover consisting primarily of shrubs including huckleberry, wood rose, flowering currant, gooseberry, and wax myrtle, and ferns, grasses and forbes.

Hydrology within the harvest area is limited to a small class III watercourse. The watercourse has a channel width of one to two feet, a channel gradient of 30 percent, and low-gradient side slopes. This watercourse flows only in response to significant winter storm events. The closest perennial waters to the harvest area are associated with a small spring located approximately 100 feet outside of the southern THP boundary.

ITEM #14 - SILVICULTURE

Clearcut

The THP proposes the harvest of 9.5 acres of Douglas fir timber utilizing this regeneration silvicultural method. The stand is generally sixty years of age or greater with timber ranging from 24 – 48 inches DBH. The stand averages 152 sq.ft. BA/acre. Understory conifer regeneration is limited to occasional pockets.

The proposed harvest will remove all merchantable timber within the harvest plan boundaries except for select wildlife trees designated by the RPF and landowner. All snags, live culls, and hardwoods that do not pose a safety hazard or interfere with logging operations will be retained throughout the harvest units. Post harvest the site will be treated if necessary to facilitate regeneration. Item #14I of this THP discusses the site preparation options in detail.

This THP utilizes Option C to demonstrate maximum sustained production of high quality timber products. The timber site is class III. Stocking will be met within 5 years of completion of operations using a point count and will include artificial regeneration (14CCR 912.7(a), (b), (1)).

ITEM #28b – EXPLANATION/JUSTIFICATION FOR EXEMPTION OF NOTIFICATION OF DOWN STREAM WATER USER BY LETTER

14CCR 1032.10 requires the plan submitter provide notice by letter to all other landowners within 1,000 feet downstream of the THP boundary whose ownership adjoins or includes class I, II, or IV watercourse(s) which receives surface drainage from the proposed timber operations. An exemption to this notification may be requested and granted by the Director with proper explanation and justification. The RPF proposes an exemption to such notification:

Explanation/Justification: One landowner (Michael Heidrick, PO Box 52, Redcrest, CA 95569) exists within 1,000 feet downstream of the THP boundary. This downstream landowner is an acquaintance of the timberland owner on whose property this THP has been prepared. The THP landowner has met on-site with the downstream landowner to discuss potential impacts to the downstream landowner's domestic water supply intake. The downstream landowner uses a domestic water supply intake located on the THP landowner's property. This domestic water supply intake is shown on the THP map and does not received drainage from the THP area. No other domestic water supplies within 1,000 feet of the THP boundary or otherwise potentially vulnerable to the proposed timber harvest were identified by the downstream landowner. This on-site meeting meets the intent of the 14CCR 1032.10 letter notification.

A request for domestic water supply information from potential down stream water users was published in the Time-Standard newspaper on May 5-6, 2003, as per 14CCR 1032.10. Proof of this publication is provided in section V.

ITEM #32 - LISTED WILDLIFE ASSESSMENT

The potential effects on plant and animal species listed as rare, threatened or endangered under federal or state law, or as a sensitive species by the Board of Forestry, were considered during the preparation of this 9.5 acre timber harvest plan. The listed species initially considered were those which might inhabit the biological assessment area (BAA). The BAA includes the Westlund Creek Planning Watershed plus all area within 1.3 miles of the THP located outside of the planning watershed. The BAA consists of primarily a mixed evergreen forest with some openings (less than 10% of the BAA) in the form of grasslands, primarily along ridges. A portion of the upper Mattole River and several tributaries including Gilham Creek and Westlund Creek, provide aquatic and riparian habitat within the BAA. Further description of the BAA and THP area is provided in the "General Site Description" at the beginning of section III, and in the cumulative impacts analysis (Section IV) which also contains a map of the BAA.

Knowledge of the listed wildlife species likely to occur in this region including their habitat was established from the California Wildlife Habitat Relationships system, a review of the CDF&G Natural Diversity Data Base, and review of other available literature and resources cited at the end of Section IV.

Listed wildlife species known to inhabit or that could potentially inhabit the BAA:

Aquatics

Coho Salmon (Oncorhynchus kisutch)
Chinook Salmon (Oncorhynchus tshawytscha)
Coastal Cutthroat trout (Oncorhynchus clarki clarki)

Steelhead (Oncorhynchus mykiss)

Amphibians
Red-legged frog (Rana aurora)
Tailed frog (Ascaphus truei)
Southern torrent salamander (Rhyacotriton variegates)
Foothill yellow-legged frog (Rana boylei)

Reptiles
Northwestern pond turtle (Clemmys marmorata marmorata)

Mammals
Pacific fisher (Martes pennanti pacifica)
Humboldt marten (Martes americana humboldtensis)
California red tree vole (Arborimus pomo)
White-footed vole (Arborimus albipes)

Birds
Northern spotted owl (Strix occidentalis caurin)
Bank swallow (Riparia riparia)
Vaux's swift (Chaetura vauxi)
Golden Eagle (Aquila chrysaetos)
Northern Goshawk (Accipter gentiles)
Ferruginous hawk (Buteo regalis)
Cooper's hawk (Accipiter cooperi)
Sharp-shinned hawk (Accipiter straitus)
Great blue heron (Ardea heordias)
Great egret (Casmerodius albus)
Purple martin (Progne subis)
Yellow warbler (Dendroica petechia)
Willow flycatcher (Empidonax trailii)

The determination of which of these listed species, potentially inhabiting the BAA, could be negatively impacted by the proposed operations, and should therefore receive further consideration, was based on: (1) the species habitat requirements cross-referenced with the habitat available in the THP vicinity (2) the species' sensitivity to timber harvest including individual range and mobility, (3) extent of alteration of its existing key habitats, (4) and current information regarding its distribution and abundance within the BAA.

Habitat types associated with the timber harvest plan area are mid-seral, primarily single-tiered, mixed evergreen forest and a grassland/forest ecotone. No perennial watercourses, or riparian, wetland, chaparral, or serpentine habitat is associated with the THP. Watercourse hydrology associated with the THP is limited to a single class III watercourse. This watercourse flows only in response to significant winter storm events. Protection measures identified in Section II, items 18 and 26, will mitigate impacts to this watercourse, downstream receiving waters, and associated aquatic species.

After analysis of the above listed species habitat and life cycle requirements in cross-reference with the proposed operations and resulting habitat alteration, the following listed species were considered species which could potentially be negatively impacted by the proposed operations. Measures taken to mitigate potential impacts to these species are detailed here and if necessary, in Section II, item #32:

California red tree vole (Arborimus pomo) – The habitat of this species predominantly includes the existence of Dougls-fir trees, with grand fir, Sitka spruce, and western hemlock also used (Meiselman 1987, Williams 1986). Potential habitat for this species exists throughout the THP area and much of the BAA. No sign (i.e. Douglas-fir resin ducts at the base of trees or obvious nests) of this species was observed during THP layout. While the lack of detection

does not rule out the existe of individuals, it is unlikely a significant pc ation or colony of this species is present within the THP area. Habitat for this species will temporarily decrease within the BAA as a result of the harvest operations, however this decrease is considered insignificant relative to the available remaining habitat in the BAA post harvest. Post-harvest, habitat for this species will return to the site as natural and artificial regeneration mature.

Northern spotted owl (Strix occidentalis caurin) – Habitat for this species consists of a broad range of age and structured forest habitat as different habitat types are related to their nesting, roosting, and foraging habits. Available nesting, roosting, and foraging habitat exists throughout THP area and much of the BAA. USFWS Protocol surveys are being performed by a private consulting biologist and a technical letter of assistance from the USFWS will be included in the THP prior to commencement of timber operations. Refer to THP Section II, item 32. A copy of the CDF/DFG Northern Spotted Owl database (Version 2.0) inquiry and subsequent results is provided in THP Section V. No known NSO activity centers were identified within 1.3 miles of the THP as a result of this inquiry.

Golden Eagle (Aquila chrysaetos) – The range of golden eagles in California is throughout the state, generally found in open grasslands, lightly wooded areas, savannas, and desert edges. The BAA is limited in open areas as approximately 90% of its terrain is covered with mixed-evergreen forest. However, two grassland openings of some size, that might provide foraging opportunity for this species, are located in the general THP vicinity. Surveys for active nests for this species in the form of intensive stand searches are required annually prior to timber operations as excessive disturbance at nest sites can cause nest failure. Refer to THP Section II, item 32.

Cooper's hawk (Accipiter cooperi) – Habitat for this species is deciduous, and less often, coniferous forests, especially those interrupted by meadows and clearings. Potential habitat exists throughout the BAA and in the THP vicinity. This species was not observed during THP layout, nor were any active raptor nests observed during intensive stand searches for golden eagle nests. The proposed harvest will not significantly impact this species as long as no active nests are disturbed, and may in fact benefit the species by providing additional open-space foraging habitat post-harvest.

Sharp-shinned hawk (Accipiter straitus) – This species breeds in dense coniferous forests, and less often in deciduous forests. The species uses a wide variety of habitats during migration and in the winter. Potential habitat exists throughout the BAA and in the THP vicinity. This species was not observed during THP layout, nor were any active raptor nests observed during intensive stand searches for golden eagle nests. The proposed harvest will not significantly impact this species as long as no active nests are disturbed.

Surveys for these species prior to timber operations will provide necessary information as to presence or absence. In addition to the USFWS Protocol surveys being performed by a private consulting biologist and the subsequent technical letter of assistance from the USFWS, if the nest of any of the other listed raptors is found or if the species themselves are observed exhibiting breeding or territorial behavior within the THP area or within 1,000 feet of the plan area, the CDFG shall be contacted to determine whether consultation is required. This analysis and resulting species-specific mitigation, along with additional THP specific mitigation (i.e. hardwood, snag, live cull, and green tree retention), and the fact that the BAA has experienced minimal harvest activity related disturbance over the last ten years, is deemed sufficient to conclude no negative impacts to species listed as rare, threatened or endangered under federal or state law, or as a sensitive species by the Board of Forestry, are likely to occur as result of the proposed nine and a half acre timber harvest.

Rare Plants

Listed botanical species likely to occur in this region and potentially within the operational boundaries of the THP, based upon available habitat, were established from the California Native Plant Society's (CNPS) Inventory of Rare and Endangered Plants of California (Sixth Edition, electronic version 1.5.1), review of available literature, and discussion with professional botanists. The results of this research indicated the following listed species had the potential for occurrence within the vicinity of the THP:

Monardella villosa ssp. Globosa (robust m rdella) – blooms June-July
Found in openings in the Chaparral and Cismontane woodland (Skinner and Pavlik 1994), and openings in oak woodlands and chaparral between 650-1,970 feet in elevation (Hickman 1996).

Astragalus agnicidus (Humboldt milk-vetch) – blooms June – August
Found in disturbed openings in the Broadleaved Upland Forest (Skinner and Pavlik 1994), open soil in woodlands around 2,500 feet in elevation (Hickman 1996), and disturbed woods around 2,500 feet in elevation (Munz and Keck 1970).

Sidalcea malachroides (maple-leaved checkerbloom) – blooms May – August
Found in Broadleaved Upland Forest, Coastal prairie, and North Coast Coniferous Forest often on disturbed sites (Skinner and Pavlik 1994), woodlands and clearings near the coast at less than 2,300 feet in elevation (Hickman 1996), found along the coast, especially disturbed sites, below 2,000 feet in elevation in the Redwood Forest and Mixed Evergreen Forest plant communities (Munz and Keck 1970), disturbed places along the coast (Niehaus and Ripper 1976), and along streams and in moist places near the coast (Abrams 1944).

Sidalcea malviflora **ssp. *patula*** (Siskiyou checkerbloom) – blooms May – June
Found in North Coast Coniferous Forest, Coastal Prairie, and Coastal Bluff Scrub (Skinner and Pavlik 1994), open coastal forest generally less than 2,300 feet in elevation (Hickman 1996), along the coast on stable dunes and sea bluffs and in the sunny openings of foothill woodlands (Smith and Wheeler 1991), and Redwood Forest plant community (Munz and Keck 1970).

Lycopodium clavatum (running-pine) – blooms July – August
Prefers marshes and swamps, and mesic sites in the North Coast Coniferous Forest (Skinner and Pavlik 1994), moist grounds and swamps, rarely on trees, at less than 650 feet in elevation (Hickman 1996), forms dense mats on trees and banks at around 500 feet in elevation in the Douglas-fir Forest plant community (Munz and Keck 1970), forming dense masses on trees, (Jepson 1951), and moist coniferous woods, brushy slopes and boggy situations (Abrams 1944). Marginal habitat exists within the harvest area, as the site is generally to dry and at to high of elevation to suit this species.

A focused, seasonally-appropriate, rare plant survey for these species was conducted by the RPF on June 11, 2003. The RPF is familiar with the appearance and habitat requirements of these rare plants. None of these species were observed within or adjacent to the operational boundaries of the THP. No negative impacts to listed rare plant species are likely to result from the proposed timber harvest. A list of general species encountered during this botanical survey is provided in section V.

SECTION IV
CUMULATIVE EFFECTS ASSESSMENT

Analysis of Alternatives to Harvesting

The subject THP is part of a small ownership. The objective of the owner is to produce periodical income through the growth and sale of timber.

1) No Project:

The portion of the property proposed for harvesting under this THP is zoned for timber production (TPZ). Timber production zoned lands are exclusively dedicated to the growing and harvesting of timber for commercial purposes and compatible uses. Under CCR 897(a), there is a legal presumption that "timber harvesting is expected to and will occur on such lands." Moreover CCR 898, which has the force of law, provides that on TPZ lands timber harvesting shall not be presumed to have adverse impacts. Ownership of such lands involves a long-term commitment to timber growing, requiring many years for the "crop" to mature before harvest. Landowners are taxed at rates consistent with this idea, and are expected to harvest timber in order to maintain that zoning. Under the Forest Practice Act, maximum sustained production must be achieved on such lands, and such production can not be achieved without harvest.

The no project alternative would be considered viable if significant impacts were expected to occur as a result of the project. However, such is not the case with this THP.

The "no project" alternative was therefore rejected.

2) Public Purchase of the Timber/Timberland or Sell the Timber/Timberland as a Conservation Easement:

The small parcel on which the THP is located is the landowner's residence. Public purchase of the timberland is highly unlikely. The landowner is unwilling at this time to consider selling the property and is not interested in a conservation easement. This option was therefore rejected.

3) Silvicultural or Yarding Method Alternatives:

While these are not considered alternatives according to the appellate court decision, a full range of silvicultural and yarding method alternatives was considered, and the proposed methods were selected as the most feasible, considering the potential impacts of this project on environmental as well as the future productivity of the property and economic resources available to the landowner.

4) Delaying the Project, or Operating Elsewhere on the Ownership:

Effectively managing timberland requires harvesting timber when it is most effective to do so. Stands are chosen for harvest based on a variety of parameters including age, stocking levels and current growth rate. Additional factors that significantly effect harvest planning are imposed by the Forest Practice Rules which have several limitations on the size, age, adjacency and silviculture that may be considered. The Protection measures for listed and sensitive species also greatly influence harvest scheduling. In light of the above conditions, the timberland owner has decided that delaying or operating elsewhere on the property is considered less feasible in comparison to this project. This option was therefore rejected.

PAST, PRESENT AND FUTURE ACTIVITIES

1. Does the assessment area of resources that may be affected by the proposed project contain any past, present or reasonable foreseeable probable future projects?

Yes X No ___

Large scale timber harvesting began in the early 1950s and continued into the 60's. Harvesting methods of this time included overstory removal, selective harvest, and clearcutting. Timber harvesting has continued on a much smaller scale since that time. On the following page is a list of harvesting projects in the Westlund Creek watershed assessment area (WAA) that have occurred during the last 10 years. Approximately 65 acres have been harvested in the 7,229 acre WAA during the past ten years. This represents less than one percent of the WAA.

Future activities within the assessment area are speculative. It is anticipated that timber harvesting, along with watershed restoration activities, will occur in the future, most likely on a small scale.

2. Are there any continuing, significant adverse impacts from forestland use activities that may add to the impacts of the proposed project?

Yes X No ___

The main access road for the rural subdivision is a marginally rocked road used year around by the residents. Despite efforts to maintain the road, poor drainage appears to be a likely source of sediment that may potentially impact watershed resources during the rainy season.

3. Will the proposed project, as presented, in combination with past, present, or reasonably foreseeable probable future projects identified in (1) and (2) above, have a reasonable potential to cause or add to significant cumulative impacts in any of the following resource subjects?

		Yes After Mitigation (a)	No After Mitigation (b)	No reasonably Potential Significant Effects (c)
1.	Watershed	___	X	___
2.	Soil Productivity	___	___	X
3.	Biological	___	___	X
4.	Recreation	___	___	X
5.	Visual	___	___	X
6.	Traffic	___	___	X
7.	Other	___	___	X

Ten-Year Harvest History (Westlund Creek WAA)

THP No	Owner	Acres	WAA Acres	Silviculture System	Acres	Yarding System	Completion Logging	Completion Stocking
95-397	Seyler	62	62	SH/SS, SH/REM, CT	15, 24, 5	TR	11-5-96	YES
98-301	Stansberry	55	3	SEL, SH/REM	51, 4	TR	unknown	unknown
Total Acres Harvested in WAA			65					

Selection of Assessment Areas

Watershed Assessment Area (WAA)

The Westlund Creek Cal-Water Planning Watershed assessment area totals 7,229 acres. The assessment area includes Westlund and Gilham Creeks, several lesser drainages, and a portion of the Mattole River to which these creeks drain. This assessment area represents a logical watershed boundary that allows for the analysis and determination of whether past and/or future projects, including the proposed THP, have resulted in or could result in significant adverse effect on the beneficial uses of water.

Beneficial uses include fish and wildlife habitat and water quality throughout the designated watersheds.

Soil Productivity

The soil productivity area is the same as the project area. This area was determined from recommendations contained in CCR14 912.9 Technical Rule Addendum No. 2.

Biological

Potential impacts on biological resources from the proposed THP, have been analyzed in an assessment area of 7,229 acres that is identical to the watershed assessment area plus 2,002 acres that are contained within a 1.3 mile arch surrounding the project area outside of the planning watershed. Thus the total biological assessment area totals 9,231 acres. Botanical concerns were assessed within the plan boundaries. This represents the area most likely affected by proposed management operations. This assessment area considers a landscape of consistent management history and similar hydrologic features.

Recreation

The recreation assessment area includes the harvest plan area plus 300 feet outside the plan boundary. The size of this assessment area was determined from recommendations contained in CCR14 912.9, Technical Rule Addendum No. 2.

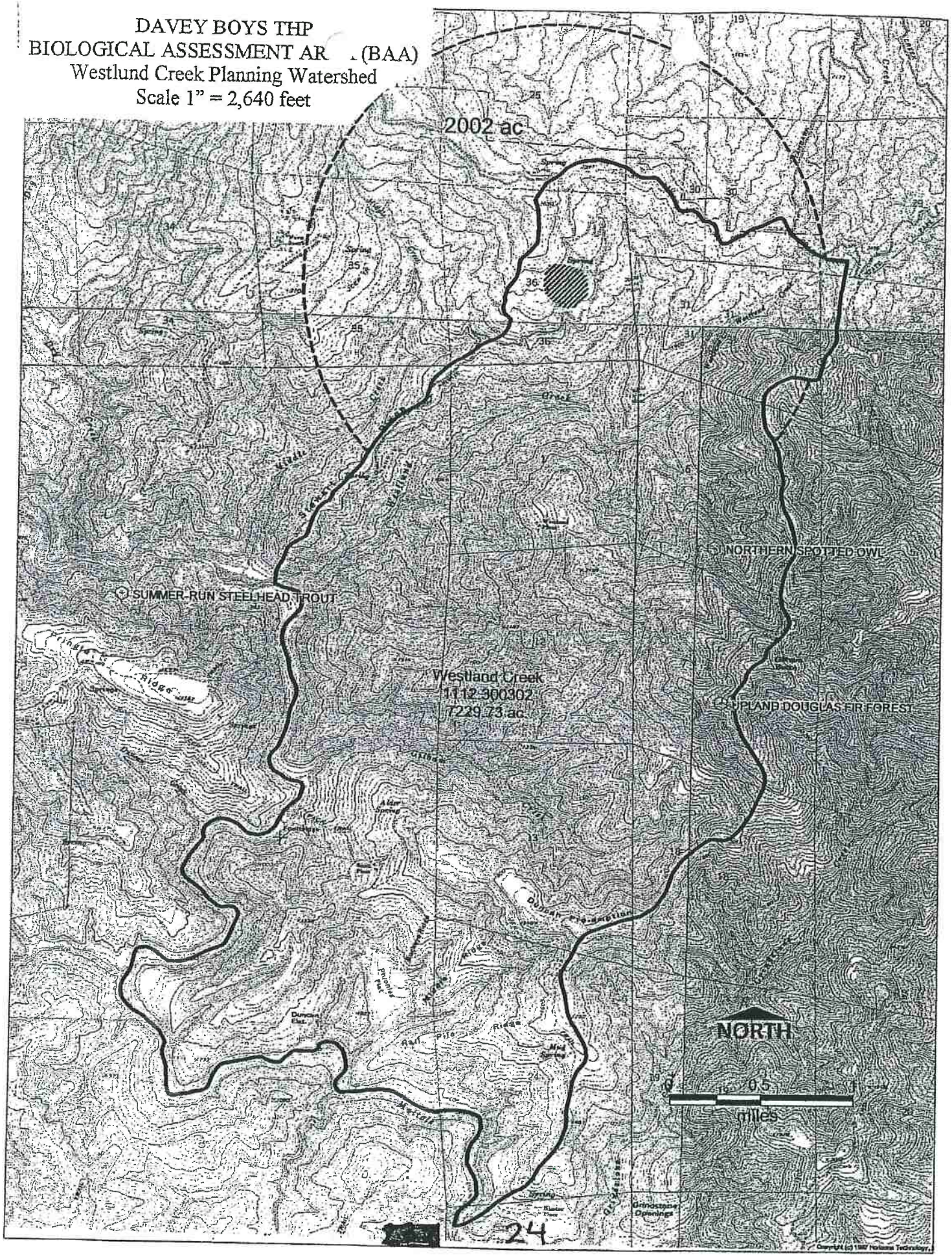
Visual

The visual assessment area is the logging area readily visible to significant numbers of people who are no further than three miles from the timber operations. This area was determined from recommendations contained in CCR14 912.9, Technical Rule Addendum No. 2

Traffic

The traffic assessment area involves the first roads not part of the logging area on which logging traffic must travel. For this project the assessment covers the Panther Gap Road which runs from the project area to the Mattole Road for a distance of approximately 4.5 miles. This area was determined from recommendations contained in CCR14 912.9, Technical Rule Addendum No. 2.

DAVEY BOYS THP
BIOLOGICAL ASSESSMENT AR . (BAA)
Westlund Creek Planning Watershed
Scale 1" = 2,640 feet



WATERSHED RESOURCES

The THP is located within the Westlund Creek watershed. Westlund Creek is tributary to the Mattole River, located in Humboldt County, California. Westlund Creek is a second order stream and has approximately 4.4 miles of blue line stream according to the USGS Honeydew 7.5 minute quadrangle. The creek drains a watershed of approximately 4.7 square miles and provides habitat for a native steelhead/rainbow trout population. Elevations range from about 400 feet at the mouth of the creek to 2,000 feet in the headwaters area. Mixed conifer dominates the watershed. The watershed is almost entirely privately owned and is managed for timber production and rural residence (CDFG 1998 Stream Inventory). The main watercourse in the vicinity of the THP is an unnamed tributary to Westlund Creek.

One class III watercourse is located within the proposed harvest plan boundaries. This watercourse flows only in response to large storm events, and is typically dry through the spring, summer, and fall seasons.

On-site conditions that may impact watershed resources are:

- Sediment
- Water Temperature
- Organic Debris
- Chemical Contamination
- Peak Flow

A discussion of each as they relate to this proposed harvest follows:

Sediment – According to the 1998 CDF&G Stream Survey of Westlund Creek, cobble embeddeness within the creek measured to be 25% or less, which is considered good quality spawning substrate for salmon and steelhead. The primary source of cultural related sediment introduction to watercourses within the watershed appears to result from road-related erosion. Road systems within the WAA vary in condition, but in general appear to be marginally maintained. Less than one percent of the planning watershed has experienced harvest operations in the last ten years, and therefore significant delivery from these operations is unlikely. Modification of watercourses for the purpose of marijuana production likely occurs within the WAA, however to what extent this leads to increased sediment delivery is unknown, and the impacts are likely insignificant as demonstrated in part by the positive results of the 1998 CDF&G stream survey.

The potential for sediment delivery as a result of the proposed THP is limited. Only one class III watercourse is located within or adjacent to the operational boundaries. This watercourse flows only in response to large storm events and is expected to be dry during the period of operations. Watercourse protection provided by WLPZ's, ELZ's, directional felling (item #26), soil stabilization measures (item #18), and tractor operation restrictions (14CCR 914.2) incorporated into this plan will adequately prevent significant amounts of sediment from entering this watercourse. Hauling operations will utilize a water truck to insure the road surface is kept compacted and creation of fines is limited. No significant increase in delivered sediment to watercourses is expected to occur as a result of the THP.

Water Temperature – No class I or II watercourses are located in the vicinity of the THP and therefore water temperatures within the WAA are not likely to be affected by the THP. A small class II spring is located approximately 100 feet outside of the harvest area. The proposed harvest does not affect the existing shade canopy of this spring and flows from the spring terminate within 100 feet of their origin. As no riparian areas are proposed for harvest and no shade canopy will be affected by harvest operations, the proposed project will have no effect on water temperatures within the watershed. According to the 1998 CDF&G Stream Survey of Westlund Creek, stream temperatures recorded from September 8 - 15, 1998, were found to be favorable to salmonids (61-66 *F).

Organic Debris Effects - As proposed, this operation will not cause any additional significant levels of organic debris to enter the watercourses. There is currently a moderate amount of larger organic debris in the watercourses in the THP vicinity. There is a significant amount of fine organic debris that enters these watercourses through leaf and detritus fall. Various stages of decomposition of organic matter were observed in the watercourses. This harvesting operation will not increase the amount of organic debris entering these watercourses. No class II watercourses are located within the operational boundaries of the harvest plan, and introduction of organic debris is unlikely. If any incidental introduction of organic debris into II watercourses occurs, it will be removed. Introduction of organic material into Class III watercourses will be either removed or stabilized.

Chemical Contamination - Potential chemical sources include accidental release of equipment fuels and oils, deposition of slash into watercourses, and release of nutrients during prescribed burning. Proper vehicle maintenance and service practices will limit the possibility of chemical contamination through the introduction of petroleum products. Protection given the watercourses will limit disturbance and slash accumulation in and adjacent to the watercourses. No burning within the class III equipment limitation zone (ELZ) is proposed for this THP and is not expected to occur. No significant adverse cumulative effects relating to chemical contamination from this operation are anticipated.

Peak Flow - No increase in peak flow is likely to occur as a result of operating this plan. Peak flow increase is primarily associated with operations located in a transient snow zone where rain or snow events can create increased peak flows following harvesting or in watersheds where extensive harvesting has occurred over a relatively short period of time. Snow is uncommon for the assessment area. The low level of harvest in the assessment area in the past ten years make peak flow increases unlikely.

SOIL PRODUCTIVITY

The primary factors influencing soil productivity that can be affected by timber operations include:

1. Organic matter loss
2. Surface soil loss
3. Soil compaction
4. Growing space loss

1. Organic Matter Loss - Organic matter loss can cause loss of nutrients contained in the top soil and biomass associated with the harvest area. Most of the biomass nutrients are contained in the top soil and foliage of the existing vegetation. Displacement, erosion and volatilization during burning are the primary causes of organic matter loss. Losses from erosion are discussed below. The potential loss from fire is primarily related to high intensity burns including wildfire.

The proposed THP includes a site preparation option for the burning of slash piled by tractor or hand(item # 14I). Site preparation allows for conifer regeneration of the site and reduces slash build up that can eventually pose a wildfire hazard. Broadcast burning is not proposed. Skid trails associated with tractor operations will be limited to the least number necessary for the removal of forest products.

As proposed, this THP will not result in the significant loss of organic matter and is expected to have little to no immediate post operational effect on the availability of this source of nutrients.

2. Surface Soil Loss - Loss of top soil can significantly reduce soil productivity as the highest nutrient content is contained in the top layer of the soil. Displacement of some top soil and organic matter is unavoidable on haul roads and tractor skid roads. However, loss of top soil and organic matter will be prevented by proper installation and maintenance of erosion control structures. Tractor operations will be limited to the least number of skid trails necessary for the removal of forest products. Given these considerations, surface soil loss is not expected to be significant.

3. Soil Compaction

Soil compaction can affect site productivity through pore space reduction and restricting root penetration. Significant compaction usually occurs when heavy, ground-based equipment (ie. tractors) operates during wet soil conditions. No operations are proposed for the winter period. Operators are instructed to minimize excavated skid trails, thereby limiting soil excavation and minimizing compaction. These measures should keep soil compaction to a level where the impacts to the site are minimal and overall effects are insignificant. Natural soil processes such as frost action, shrink-swell and the activity of soil biota are also expected to add new micro pores to the soil and reduce the effects of minor levels of compaction that do occur.

4. Growing Space Loss

Growing space loss associated with this THP will occur as a result of road and landing construction in forested areas. New road construction has been limited to the minimum amount of road necessary to operate the THP. Approximately 100 feet of new road construction is proposed within forested areas resulting in minimal loss of potential growing space. No significant loss of growing space is expected as a result of operating this plan.

BIOLOGICAL RESOURCES

This section covers both terrestrial and aquatic biological resources. To address potential cumulative effects of this forest management proposal on biological resources, two different methods have been utilized. The first considers special status species, listed as rare, threatened, or endangered by the State and/or Federal Law, or as "Sensitive Species" by the Board of Forestry. The potential for these species to occur within the project vicinity and be adversely impacted by the proposed operations have been analyzed in Section III, item #32. The second approach involves an analysis of how proposed management will influence habitat quality and quantity inside the THP and the assessment area.

TERRESTRIAL HABITAT ANALYSIS

To determine potential cumulative impacts to terrestrial wildlife habitat resources potentially influenced by this project, a review of past and foreseeable future projects in the THP, and the biological assessment area was conducted.

Harris (1984) found that the three principal site characteristics most important in determining individual species occupancy, and overall species richness in coniferous forest communities were; 1) presence or absence of surface water and moistness of the site, 2) elevation and 3) structural complexity of the vegetation. Elevation was the most important variable in regulating the number of species occurring at a site (Harris 1984). Increasing elevation was found to decrease the overall relative abundance of amphibians, reptiles, and birds, but mammals apparently become relatively more abundant at higher elevations. Most species found primary habitat on moist sites containing surface water, within riparian strips, and on hardwood benches.

Residual late succession forest structure, such as downed logs and large snags, may be limiting factors for many late seral associated species. Rosenberg and Raphael (1986) state that even small forest patches that retained these microhabitat components seem to support forest-interior species such as the pileated woodpecker. This species showed only moderate intolerance of very small forest islands and was numerous in young forests containing many hardwoods and few large Douglas-fir trees. Similarly, the northern spotted owl, initially believed to be an old growth obligate, is regularly found in second growth redwood forest (S.J. Kerns 1989).

Maintaining vital habitat components for wildlife species is one recommended management strategy for commercial timberlands. Maintaining vital habitat components is being proposed in this THP through the conservation of riparian areas at or near pre-harvest conditions, the retention of snags, large green wildlife trees, and large down woody debris. Important structural components associated with forest habitats and present in this THP have been summarized below:

Large Living Trees

The presence of large live trees is one of a few distinctive features of old forest ecosystems (Franklin et. al. 1981). Conifers greater than 24" dbh are considered large for the purposes of this assessment. These large overstory trees provide vertical structure that increase foliage height diversity, and provide reproductive and foraging habitat for many wildlife species. As these trees die, they continue to provide vertical structure as snags, and will eventually contribute large downed woody debris. Large conifers are especially important in riparian corridors, where they effectively shield the watercourse from sunlight, and eventually provide fish habitat and sediment traps. Large living trees (>24" dbh) make up much of the forest structure within the 9.5 acre THP and are present throughout the biological assessment area at varying levels.

The THP proposes the harvest of a small even-age stand of 60 year-old Douglas-fir timber. The RPF and landowner have discussed the importance of large, older trees in terms of wildlife refuge and snag recruitment, and a few older trees within the area in addition to non-merchantable timber (live-culls) will be left for wildlife and aesthetic value. Large trees will exist on the ownership and on surrounding properties post-harvest and removal of this small patch (< 10 acres) of timber is not likely to have a significant negative impact on the BAA.

Snags

Snags are a distinctive structural feature of unmanaged forests in the Pacific Northwest (Franklin et al 1980). The absence of suitable snags can be the major limiting factor for some snag-dependent wildlife populations (Balda 1975). Cline and others (1980) studied Douglas-fir snags in western Oregon. A cluster analysis performed on sample Douglas-fir snags revealed 5 stages of deterioration, with large snags taking about 250 years to completely decompose. Stage of snag deterioration has been found to influence use by wildlife and it is recommended that snags in all stages be maintained to meet the requirements of all snag-dependent species. Raphael also found that cavity nesting birds were highest at a snag density of 3 stems per hectare (greater than 15" dbh), and hypothesized that these populations are limited by other factors when snag density is above that level.

Snags >16" dbh occurred at a relatively low level (one per acre) throughout the THP area. It is estimated that the assessment area contains snags at a similar level however variances are expected, especially in older forests such as those present in the 3,800 acre Gilham Butte Conservation Area, where snag density is expected to be significantly greater. Except for those causing safety or fire hazard concerns, all snags within the THP will be retained. Older trees and live culls which the landowner plans to retain will provide for future recruitment of large snags within the harvest area. This THP will not cause a significant adverse effect to present or future snag levels.

Dead and Down Woody Material

Woody debris is a less powerful discriminator of stand age, but is important for small ground dwelling animals. Actually highest in early succession stands and lowest during mid-succession, woody debris in many Douglas-fir stands operate with a different cycle than overstory attributes (Spies and Franklin 1991). However, because natural disturbances typically do not destroy large pieces of wood, these components are present naturally in stands of all ages (Spies et al 1988). Historically, wildfires were natural phenomena in the Pacific Northwest and conflagrations of catastrophical proportions would periodically scorch entire regions. However, important differences exist between the effects of wildfire and traditional, intensive, even-aged timber management. Forests subsequent to wildfires retain standing dead and dying trees, depending on the intensity of fire, that even-aged managed stands typically lack.

Large woody debris is present throughout the THP area. Management is not expected to significantly alter the amount of existing large downed wood present in the THP area. Harvesting will reduce the potential for future recruitment in the area, but it is expected that the levels of large downed wood will increase to a limited extent as a result of logging residue and individual cull logs left behind. Future recruitment of large organic debris will be provided by retained snags, standing live culls and green wildlife trees. The vast

majority of existing down and dead wo · material within the THP boundaries i on-merchantable and will be retained. Existing and future down and dead woody debris levels will not be significantly affected by this THP.

Multistory Canopy
The harvest area contains primarily a single story canopy, however two-tiered canopy conditions exist in the form of a Douglas-fir overstory and small to mid-size hardwood/conifer understory. This environment also appears to exist throughout much of the BAA. The retention of snags and green wildlife trees will provide structural components during the growth of the next stand. Considering that similar canopy conditions occur throughout the ownership and BAA, the proposed harvest will not significantly alter multistory canopy levels and associated habitat types in the BAA.

Hardwood Cover
Hardwoods including primarily canyon live oak, tanoak, and madrone are present across the plan area and throughout the BAA. Hardwoods are not abundant within the THP area and are not proposed for harvest except where they interfere with logging operations or propose a safety hazard. Hardwood levels will not be significantly affected by this THP.

Sites with Distinct Microclimates:
Riparian habitats have unique species composition, which includes hardwoods, and herbaceous plants not found in upland conditions. Gregory et.al (1991) stated; "the importance of riparian zones far exceeds their minor proportion of the land base because of their prominent role within the landscape and the intricate linkages between terrestrial and aquatic ecosystems." This type of habitat is vital for a number of wildlife species, and is also important for the preservation of watercourse channel stability.

Sites that possess distinct characteristics (shaded, moist, cool) often occur in association with riparian areas. No riparian areas are proposed for harvest and this THP is not expected to have an affect on sites with distinct microclimates.

Terrestrial Habitat Analysis Summary:

The existing variety of habitat types in the BAA, including the 3,800 acre Gilham Butte Conservation Area, creates a mosaic or patchwork of suitable habitats for different species. The proposed THP will not significantly alter the existing habitat diversity in the BAA. A forest opening of less than ten acres (considered beneficial to a variety of species) will be temporarily created by the harvest, while adjacent stands outside the THP boundary will continue to grow and provide structural forested habitat. The proposed THP retains habitat components considered vital to a healthy forest environment such as snags, large green wildlife trees, hardwoods, and large down organic debris. No sites with distinct microclimates such as cool, riparian habitats or old growth forests are associated with the harvest area.

VISUAL RESOURCES

The plan area is relatively small and is contained within a private ownership and will not be visible to a significant number of people. The adjacent landowner has been apprised of the planned harvest including the silivicultural method and has no objections. As timber harvesting is not an uncommon occurrence in the assessment area, and the area of impact is small and somewhat concealed by topography and adjacent forest, no long-term significant impacts to visual resources are expected.

TRAFFIC

Public roads that may be utilized for delivery of logs include the Mattole Road and State Highway 101. All roads proposed for use have historically been used for the transport of wood products. Log truck traffic will

be maintained at historic levels a result of this THP. Mitigation meas es including dust abatement and a speed limit for logging trucks are included in section II, item 38.

RECREATION RESOURCES

This area is a rural subdivision and year around and seasonal residents utilize the area. Access to the area is by private road only. Timber management, agriculture, and rural living are what occur in this area. The proposed harvest operation is compatible with adjacent land uses and will not significantly affect the limited recreational activities of the area.

RESEARCH RECORDS AND CONTACTS

John Davey, landowner and resident of area since 1975

Shane Green, Botanist

Dirk Embree, Wildlife Biologist

Records Examined

1. Aerial photographs, 1974 and 2000 black and white.
2. California Soil Vegetation maps.
3. California State Board of Forestry, Technical Rule Addendum No. 1, Procedure for Estimating Surface Erosion Hazard Rating, revised February 1, 1990.
4. California State Board of Forestry, Technical Rule Addendum No. 2, Cumulative Impacts Assessment.
5. Humboldt County Assessor's Records - Real Estate Data Information.
6. California Department of Fish and Game stream survey information: Westlund Creek and Gilham Creek (1997-98).
7. Geology and Geomorphic Features Related to Landsliding Maps (1979), Weott, Bull Creek, Honeydew, and Ettersburg 7.5' Quadrangles

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DAVEY BOYS THP
SECTION V

1. Erosion Hazard Rating
2. Public Notice regarding Domestic Water Supplies
3. Common Plant Species encountered during June 11, 2003 Rare Plant Survey
4. Northern Spotted Owl (NSO) Database Inquiry
5. Letters Concerning Request for Technical Assistance on CDF NSO Guidelines (2)

THP 1-03-122 HUM
REVISED 8-3-03

ESTIMATED SURFACE SOIL EROS N HAZARD

State of California
Board of Forestry

I. SOIL FACTORS

A. Soil Texture	Fine	Medium	Coarse	FACTOR RATING BY AREA 1	2	3	4	5	6
1. Detachability	Low	Moderate	High						
Rating	1-9	10-18	19-30	16					
2. Permeability	Slow	Moderate	Rapid						
Rating	5-4	3-2	1	2					

B. Depth to Restrictive Layer or Bedrock									
	Shallow 1-19"	Moderate 20-39"	Deep 40-60"(+)						
Rating	15-9	8-4	3-1	6					

C. Percent Surface Coarse Fragments Greater than 2 MM in Size Including Rocks or Stones									
	Low <10-39%	Moderate 40-70%	High 71-100%						
Rating	10-6	5-3	2-1	4					

SUBTOTAL → 28

II. SLOPE FACTOR

Slope	5-15%	16-30%	31-40%	41-50%	51-70%	71-80%(+)						
Rating	1-3	4-6	7-10	11-15	16-25	26-35	7					

III. PROTECTIVE VEGETATIVE COVER REMAINING AFTER DISTURBANCE

	Low 0-40%	Moderate 41-80%	High 81-100%						
Rating	15-8	7-4	3-1	12					

IV. TWO-YEAR, ONE-HOUR RAINFALL INTENSITY (HUNDREDTHS INCH)

	Low <30-39	Moderate 40-59	High 60-69	Extreme 70-80(+)						
Rating	1-3	4-7	8-11	12-15	14					

TOTAL SUM OF FACTORS → 61

EROSION HAZARD RATING

<50	50-65	66-75	>75
Low (L)	Moderate (M)	High (H)	Extreme (E)

THE DETERMINATION IS → M

PROOF OF PUBLIC ION

(2015.5 C.C.P.)

This space is for the County Clerk's Filing Stamp

STATE OF CALIFORNIA
County of Humboldt

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above-mentioned matter. I am the principal clerk of the printer of THE TIMES-STANDARD, a newspaper of general circulation, printed and published daily in the City of Eureka, County of Humboldt, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of Humboldt, State of California, under the date of June 15, 1967 Consolidated Case Number 27009 and 27010; that the notice, of which the annexed is a printed copy (set in type not smaller than nonpareil), has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit.

May 6

All in the year 2003

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Dated at Eureka, California,

this 7th day of May 2003

Signature

35

Proof of Publication of

PUBLIC NOTICE

PUBLIC NOTICE
Request for Information on Domestic Water Supplies

A Timber Harvesting Plan (THP) will be submitted to the California Department of Forestry and Fire Protection (CDF) in the vicinity of Westlund Creek approximately five miles east of Honeydew. The proposed THP is located in the SE1/4 of Section 36, Township 2S, Range 1E, HB&M. This notice is to request information about domestic water supplies from class I (fish-bearing), II (non fish-bearing), and 1V (manmade) watercourses that receive drainage from the THP area and are within 1,000 feet downstream of the THP boundary. Watercourses that may be affected include an unnamed tributary to Westlund Creek. If you have any information about domestic water supplies from these watercourses, please contact (within 10 days):

Mike Miles, Jr.
2341 16th Street
Eureka, CA 95501
(707) 441-1190
5/6

August 21, 2003

Michael Heidrick
PO Box 52
Redcrest, CA 95569

Dear Mr. Heidrick,

A Timber Harvesting Plan (THP) has been submitted to the California Department of Forestry and Fire Protection (CDF) for an ownership located in the vicinity of Westlund Creek approximately five miles east of Honeydew. The proposed THP is located in the SE1/4 of section 36, Township 2S, Range 1E, HB&M. You have been identified as an adjoining landowner located within 1,000 feet downstream of the THP boundary. This letter is being sent to request information about domestic water supplies from class I (fish-bearing), II (non fish-bearing), and IV (manmade) watercourses that receive drainage from the THP area and are within 1,000 feet downstream of the THP boundary.

Watercourses that may be affected include an unnamed tributary to Westlund Creek. A map is attached showing the location of two known domestic water supplies in the THP vicinity. If you have any information about domestic water supplies from these watercourses, or wish to discuss the proposed operations, please contact (within 10 days):

Mike Miles
2341 16th Street
Eureka, CA 95501
707 441-1190

Sincerely,

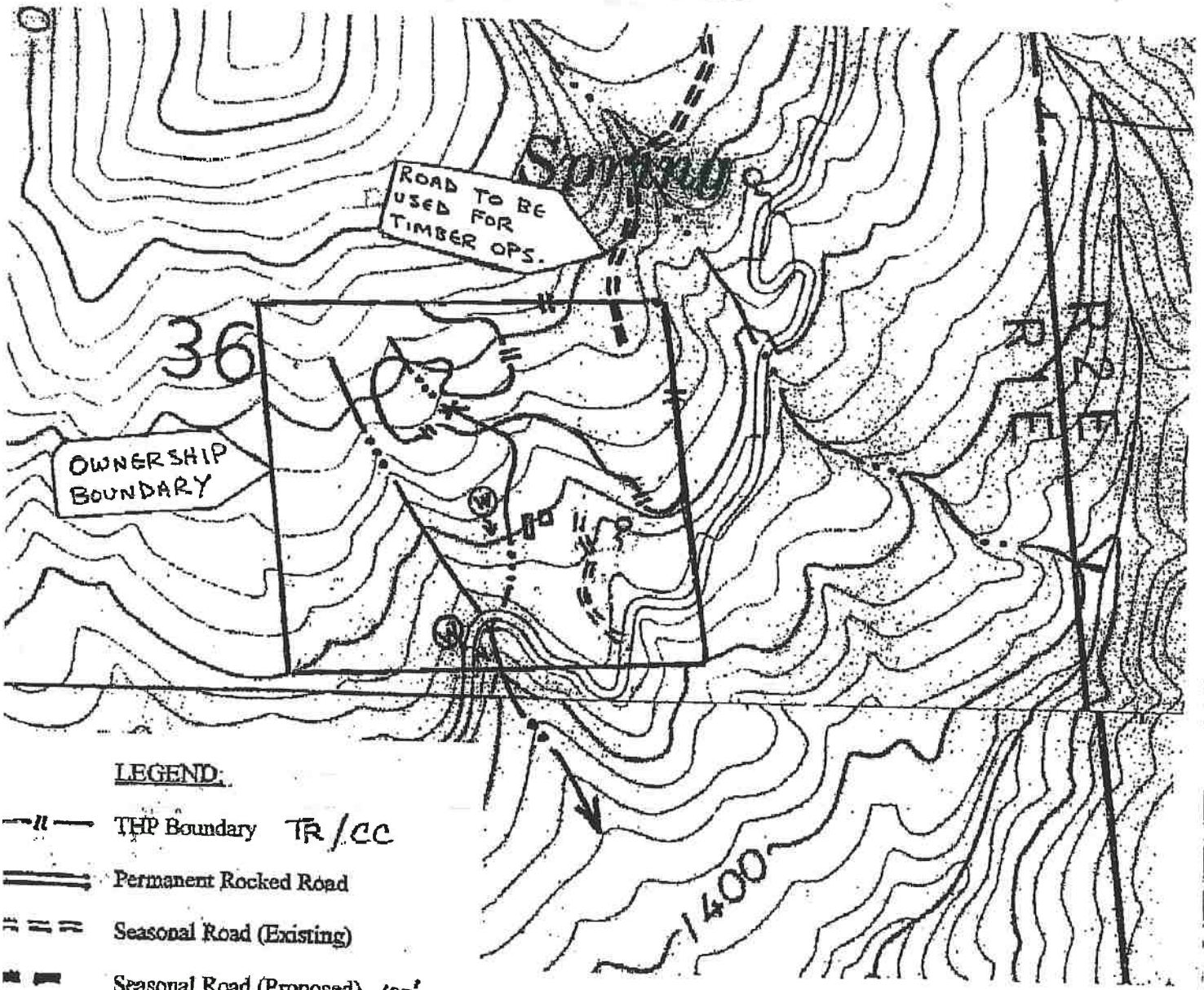
Michael W. Miles

Michael W. Miles

PART OF PLAN
RECEIVED
AUG 21 2003
COAST AREA OFFICE
RESOURCE MANAGEMENT

35.1

DAVEY BOYS THP MAP
Bull Crk and Honeydew 7.5' Quadrangles
T2S, R1E, Sections 36, HB&M
Scale 1" = 500 feet



LEGEND:

- THP Boundary TR/CC
- Permanent Rocked Road
- Seasonal Road (Existing)
- Seasonal Road (Proposed) 100'
- Class III Watercourse
- Class II Watercourse
- Spring
- Designated Skid Trail Watercourse Xing
- (W) Domestic Water Supply
- Timberland Owner's Dwelling

35.2
14.T

PART OF PLAN
RECEIVED
AUG 21 2003
COAST AREA OFFICE
RESOURCE MANAGEMENT

Common Tree and Plant Species Encountered During June 11, 2003 Davey Boys THP Rare Plant Survey

Tree Layer:
Pseudotsuga menziessi var. menziesii (Douglas-fir)
Arbutus menziesii (Pacific madrone)
Lithocarpus densiflorus (tanoak)
Quercus chrysolepis (canyon live oak)
Umbellularia californica (California-bay)

Shrub Layer:
Vaccinium ovatum (evergreen huckleberry)
Vaccinium parvifolium (red huckleberry)
Rubus leucodermis (white-stemmed raspberry)
Rosa gymnocarpa (wood rose)
Berberis spp. (Oregon-grape)
Myrica californica (wax myrtle)
Ribes roezlii var. cruentum (Sierra gooseberry)
Ribes sanguinuem var. glutinosum (pink-flowering currant)
Toxicodendron diversilobum (poison-oak)

Herbaceous Layer:
Adenocaulon bicolor (trail plant)
Bellis perennis (English daisy)
Calypso bulbosa (calypso orchid)
Claytonia perfoliata (miner's lettuce)
Dicentra formosa (Pacific bleeding heart)
Galium aparine (goose grass)
Galium sp. (bedstraw)
Hieracium albiflorum (white hawkweed)
Hypochaeris glabra (smooth cat's ear)
Hypochaeris radicata (hairy cat's ear)
Iris douglasiana (Douglas iris)
Leucanthemum vulgare (ox-eye daisy)
Lolium perenne (perennial ryegrass)
Lolum multiflorum (Italian ryegrass)
Lupinus bicolor (miniature lupine)
Nemophila menziesii (baby blue eyes)
Polystichum munitum (sword fern)
Pteridium aquilinum var. pubescens (western bracken fern)
Pyrola picta spp. (wintergreen)
Ranunculus californicus (California butter cup)
Satureja douglasii (yerba buena)
Scoliopus bigelovii (slinkpod)
Trientalis latifolia (Pacific star flower)
Trifolium spp. (clover)
Trillium ovatum (western trillium)
Vicia spp. (vetch)

consultation numbers.

FILL IN FOR BOTH

Name DIRK Emmons DATE 7/21/03

RPF# or PCB# 0037

Mailing Address 1434 3rd St Phone# 269-1383

Eureka CA 95501 FAX#

FILL IN FOR DATABASE

County Hum

T 25 R 1E

S 25, 26, 35, 36, ___, ___, ___, ___, ___, ___, ___, ___, ___,

T 25 R 2E

S 30, 31, 19, ___, ___, ___, ___, ___, ___, ___, ___, ___, ___,

T 35 R 1E

S 1, 2, ___, ___, ___, ___, ___, ___, ___, ___, ___, ___, ___,

T 35 R 2E

S 6, ___, ___, ___, ___, ___, ___, ___, ___, ___, ___, ___, ___,

T ___ R ___

S ___, ___, ___, ___, ___, ___, ___, ___, ___, ___, ___, ___, ___,

T ___ R ___

S ___, ___, ___, ___, ___, ___, ___, ___, ___, ___, ___, ___, ___,

Circle the 1.3 mile radius on an USGS quad map or its equivalent and attach to this document.

FILL IN FOR NSO CONSULTATION REQUEST

County Hum THP 1 Drainage Westhend Creek

Project Location T 25 R 1E S 36 Acreage 10-20

T___ R___ S___ T___ R___ S___

Option: A___ B___ F___ Other___

Will pre-consultation with DFG be required for any other species?
If so list___

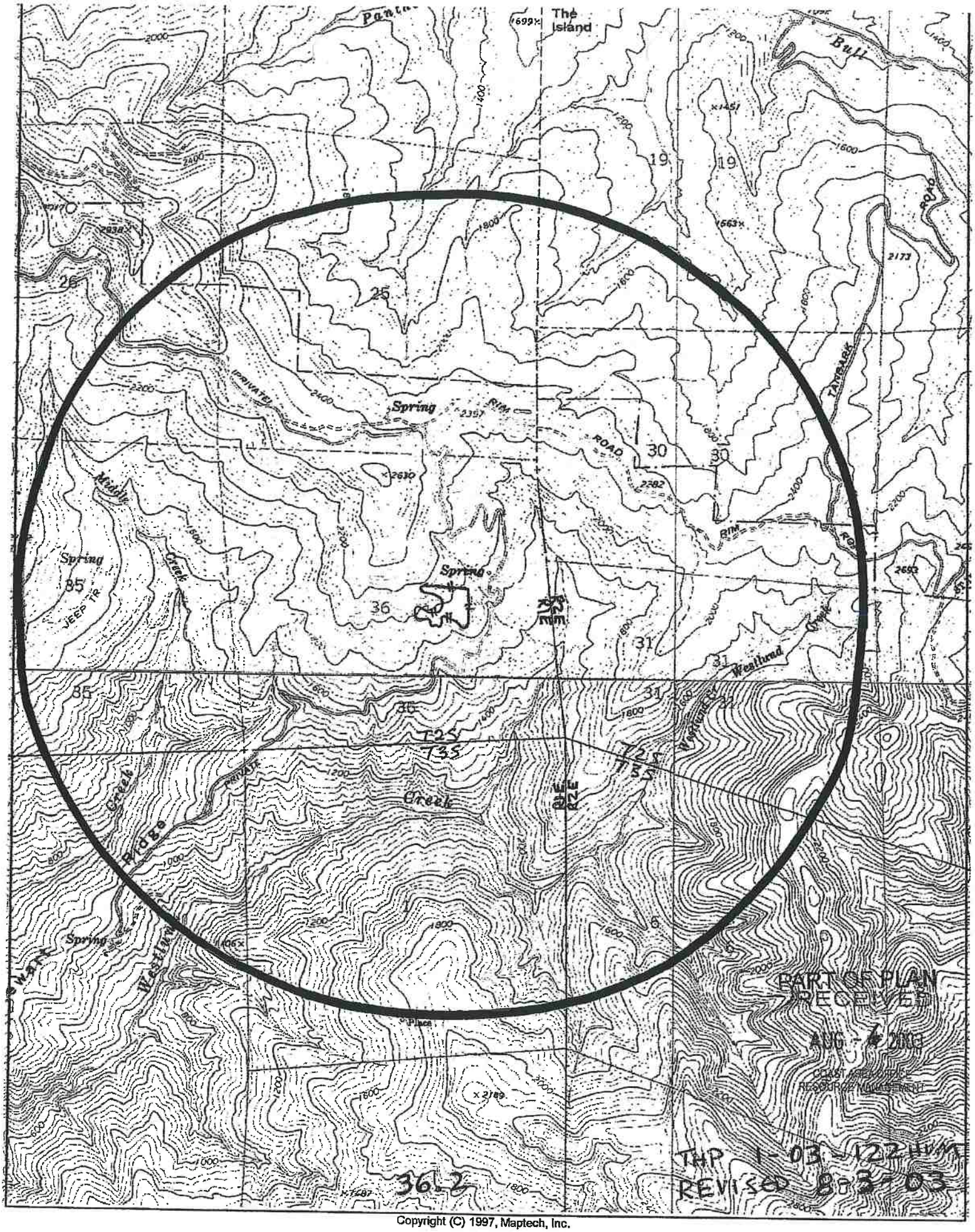
Request No:___ (CDF will assign number)

FILL IN DATABASE SECTION AND NSO CONSULTATION SECTION WHEN YOU ARE REQUESTING BOTH.

PART OF PLAN
RECEIVED
AUG - 6 2003
COAST AREA OFFICE
RESOURCE MANAGEMENT

36.1

THP 1-03-122HUM
REVISED .8-3-03



RPF: DIRK EMBREE #: 0037 07/21/2003
RQST. NO.: 2508 Pg: 1

California Department of Fish and Game
California Department of Forestry and Fire Protection

NORTHERN SPOTTED OWL DATABASE MANAGEMENT SYSTEM
Version 2.0

REPORT #1 DATA

REPORT OF AREAS SEARCHED

COUNTY	TOWNSHIP	RANGE	SECTION	TERRITORY
HU	2S	1E	25	** NO OWLS KNOWN **
HU	2S	1E	26	** NO OWLS KNOWN **
HU	2S	1E	35	** NO OWLS KNOWN **
HU	2S	1E	36	** NO OWLS KNOWN **
HU	2S	2E	19	** NO OWLS KNOWN **
HU	2S	2E	30	** NO OWLS KNOWN **
HU	2S	2E	31	HU017
HU	3S	1E	1	** NO OWLS KNOWN **
HU	3S	1E	2	** NO OWLS KNOWN **

PART OF PLAN
RECEIVED
AUG - 6 2003
COAST AREA OFFICE
RESOURCE MANAGEMENT

THP 1-03-122 Hum
REVISED 8-3-03

NOTE: THREE SEPERATE REPORTS ARE GENERATED IF NORTHERN SPOTTED OWL RECORDS ARE KNOWN FROM THE REQUESTED AREA. THE SECOND AND THIRD REPORTS WILL NOT PRINT IF OBSERVATIONS RECORDS ARE NOT FOUND.

36.3

RPF: DIRK EMBREE #: 0037 07/21/2003
RQST. NO.: 2508 Pg: 1

California Department of Fish and Game
California Department of Forestry and Fire Protection

NORTHERN SPOTTED OWL DATABASE MANAGEMENT SYSTEM
Version 2.0
December 16, 2002
REPORT #3 DATA

REPORT OF SIGHTINGS REPORTED FOR TERRITORIES FOUND

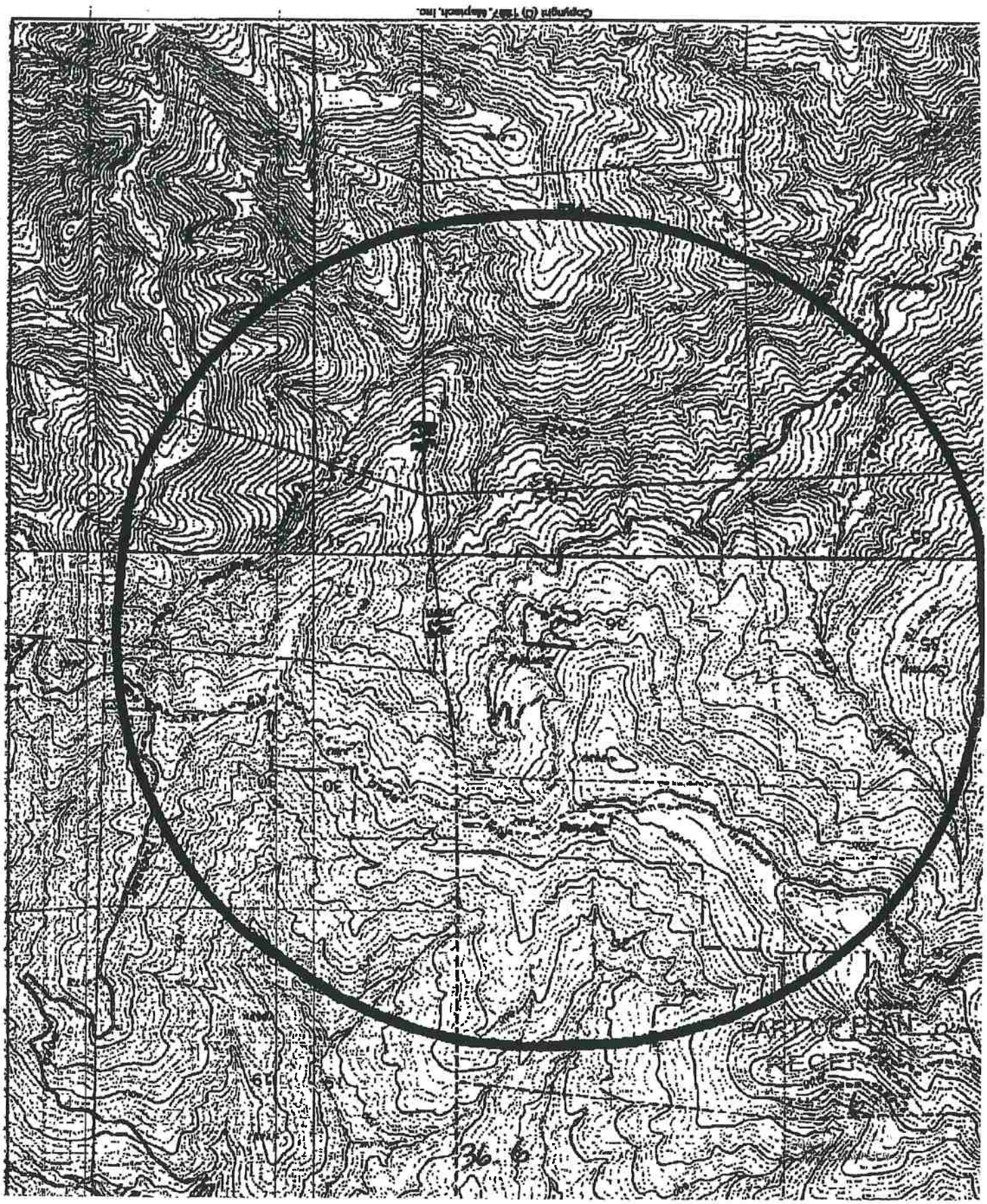
TWN	RNG	SECT	1/4	1/16	1/64	DATE SEEN	OBSERVER	NO. OF OWLS	AGE-SEX	PAIR	NO. OF YNG.	NEST
TERRITORY: HD017												
3S	2E	6	SE			05/31/1977	WHISLER	2	UMUF	Y	0	
3S	2E	6	S			06/20/1983	via BLM	0			0	
3S	2E	6	S			06/16/1984	via BLM	0			0	
3S	2E	6	S			06/19/1984	via BLM	0			0	
3S	2E	6	SE	NW		06/02/1988	via BLM	1	UM		0	
3S	2E	6	SE	SW		06/16/1988	via BLM	1	UM		0	
3S	2E	7	NE	NW		01/01/1991	HAMM	1	UU		0	
3S	2E	6	SE	NE	SW	01/01/1993	HAMM	1	UU		0	
3S	2E	6	SE	SE	W	05/24/1994	GORHAM	1	UM		0	
3S	2E	6	SE			06/08/1994	GORHAM-ADAMS	0			0	
3S	2E	6	W			06/09/1994	GORHAM-ADAMS	0			0	
3S	2E	6	SE	SE		06/23/1994	GORHAM-ADAMS	1	UM		0	
3S	2E	6	SE			07/19/1994	BOBZIEN	1	UU		0	
3S	2E	6	SE	SE	NW	07/27/1994	GORHAM	2	UMUF	Y	0	
3S	2E	6	SE	SW	SE	06/28/1995	HAMM	2	UMUF	Y	0	
3S	2E	6	SE	SW	SE	07/21/1995	HAMM	2	UMUF	Y	0	
3S	2E	6	SE	SW	SE	07/27/1995	HAMM	2	UMUF	Y	0	
3S	2E	6	SE	SW		07/27/1995	JS-TM-DB-RC	1	UM		0	
2S	2E	31	S	S	CS	07/27/1995	JS-TM-DB-RC	1	UM		0	
3S	2E	6	SE	SW		04/15/1998	HAMM	2	UMUF	Y	0	Y

THP 1-03-122HUM
REVISED 8-3-03

NOTE: FOR AN EXPLANATION OF THE DATA COLUMNS, USE A "DATABASE REPORT EXPLANTATION SHEET" DATED AFTER JANUARY 1, 1994.

36.5

THP 1-03-122H
REVISED 8-3-03



STATE OF CALIFORNIA-THE RESOURCES AGENCY
DEPARTMENT OF FORESTRY AND FIRE PROTECTION
COAST-CASCADE REGION
135 RIDGWAY AVENUE
P.O. BOX 670
SANTA ROSA, CA 95402-0670
(707) 576-2959

Gray Davis, Governor

October 20, 2000

Mr. Kenneth Hoffman
U.S. Fish & Wildlife Service
Arcata Fish & Wildlife Office
1655 Heindon Road
Arcata, CA 95521

Subject: Request for Technical Assistance on CDF Northern Spotted Owl Guidelines

Dear Mr. Hoffman:

The California Department of Forestry & Fire Protection (CDF) would like to seek technical assistance (TA) from the U.S. Fish & Wildlife Service (Service) on the attached Northern Spotted Owl Guidelines. The purpose of the guidelines is to assure that timber harvest plans submitted within the range of the northern spotted owl will not likely result in take of this federally threatened species. The guidelines address information needs, standard protection measures, and the need to amend subsequent letters of TA into the THP. It is the intent of the CDF that upon receiving technical assistance from the Service to make these guidelines available to individuals preparing timber harvest plans and the public. The CDF is therefore requesting TA on the process and not on an individual action.

If you have any questions regarding the information in this document please feel to contact either Jay Harris (707/726-4256) or Bill Snyder (707/576-2938) of my staff for assistance.

Sincerely,

Dean Lucke
Assistant Deputy Director for
Forest Practice

cc: Rodger Thompson (CDF – Santa Rosa)
Duane Shintaku (CDF – Redding)
Bill Snyder (CDF – Santa Rosa)
John Marshall (CDF – Fortuna)
Jay Harris (CDF – Fortuna)
Mark Stopher (DFG - Redding)
Steve Rae (DFG - Yountville)
Ken Moore (DFG – Eureka)

THP 1-03-122 HUM
REVISED 8-3-03

36.7

United States Department of the Interior

FISH AND WILDLIFE SERVICE
ARCATA FISH AND WILDLIFE OFFICE
1655 HEINDON ROAD
ARCATA, CA 95521
(707) 822-7201
FAX (707) 822-8411

January 10, 2001

In Reply Refer To:
1-14-2001-TA-20

Mr. Dean Lucke
Assistant Deputy Director, Forest Practice
Dept. of Forestry and Fire Protection
135 Ridgeway Avenue
Santa Rosa, CA 95402

Subject: Response to Request for Technical Assistance Regarding Northern Spotted Owl Guidelines

Dear Mr. Lucke:

This responds to your request for U.S. Fish and Wildlife Service (Service) technical assistance on the use of the Northern Spotted Owl Guidelines (Guidelines) submitted to our office on October 26, 2000. Your request describes initiating a process by which, through the use of the Guidelines, timber harvest plan (THP) proponents may have their THPs approved in compliance with the Forest Practice Rules and the California Environmental Quality Act. At issue in the request is the potential for incidental take of the Federally listed northern spotted owl (*Strix occidentalis caurina*).

In response to your request, the Service has determined that, provided no timber operations will occur until valid northern spotted owl technical assistance has been obtained from the Service, implementation of the process described in the Guidelines would not be likely to incidentally take northern spotted owls. Parties submitting information to the Service for technical assistance should be aware that other information may be required in addition to that specified in your Guidelines.

If you have questions regarding this response, please contact Mr. Ken Hoffman at the Arcata Fish and Wildlife Office at (707) 822-7201.

Sincerely,

for Phil Detrich
HCP Team Project Leader

cc:
CDF: J. Harris, 118 Fortuna Blvd., Fortuna, CA 95540
CDF: J. Marshal, 118 Fortuna Blvd., Fortuna, CA 95540
CDF: R. Thompson, 135 Ridgeway Avenue, Santa Rosa, CA 95402
CDF: B. Snyder, 135 Ridgeway Avenue, Santa Rosa, CA 95402
CDF: D. Shintaku, 6105 Airport Road, Redding, CA 96001

36.8

THP 1-03-122HUM
REVISED 8-3-03

NOTE

Information concerning archeological sites has been removed from THP **1-03-122 HUM** in accordance with the policy of the Office of Historic Preservation as adopted by the State Historical Resources Commission under the authority of Public Resources Code 5020.4.

Copies of the information have been sent to the following locations to facilitate review of the project:

1. CDF field unit - Fortuna

2. Reviewing Archeologist, Santa Rosa (Region Office)

The original copy of this material is maintained in a confidential file at CDF Northern Region Headquarters, 135 Ridgway Avenue, Santa Rosa, CA 95401.

Pages 37 - 52

REVISED PAGES 37,39,40 RECEIVED 7/23/03

NOTE

Information concerning archaeological sites has been removed from this THP, **1-03-122 HUM,** in accordance with the policy of The Office of Historic Preservation as adopted by the State Historical Resources Commission under the authority of Public Resources Code 5020.4.

Copies of the information have been sent to the following locations to facilitate review of the project:

1. CDF field unit - Fortuna
2. Reviewing Archaeologist, Santa Rosa (Region Office)

The original copy of this material is maintained in a confidential file at CDF Northern Region Headquarters, 135 Ridgway Avenue, Santa Rosa, CA 95401.