

## REFERRAL AGENCY COMMENTS AND RECOMMENDATIONS

The project was referred to the following referral agencies for review and comment. Those agencies that provided written comments are checked off.

<b>Referral Agency</b>	<b>Response</b>	<b>Recommendation</b>	<b>Location</b>
Division Environmental Health	✓	Conditional Approval	Attached
Public Works, Land Use Division	✓	Road Eval. Required	On file
CALFIRE	✓	Comments	On file
Northwest Information Center	✓	Further Study	On file and confidential
Hoop Valley Tribe	✓	Comments	On file and confidential
Humboldt County Sheriff	✓	Comments	On file
Building Inspection Division			
Klamath-Trinity Joint Unified School District			
California Department of Fish & Wildlife	✓	Conditional Approval	Attached
Humboldt County Agricultural Commissioner			
Humboldt County District Attorney			
North Coast Unified Air Quality Management District			
North Coast Regional Water Quality Control Board			
U.S. Army Corps of Engineers			
State Water Resources Control Board – Division of Water Rights			



HUMBOLDT COUNTY  
PLANNING AND BUILDING DEPARTMENT  
CURRENT PLANNING DIVISION  
3015 H STREET, EUREKA, CA 95501 ~ PHONE (707) 445-7541

DEH received  
1-11-18

**PROJECT REFERRAL TO:** Health and Human Services Environmental  
Health Division

17/18-1296

**Project Referred To The Following Agencies:**

Building Inspection Division, Public Works Land Use Division, Health and Human Services Environmental Health Division, County Counsel, CalFire, California Department of Fish And Wildlife, Northwest Information Center, Hoopa Valley Tribe, Regional Water Quality Control Board, North Coast Unified Air Quality Management District, United States Army Corps of Engineers, Humboldt County District Attorney, Humboldt County Agriculture Commissioner, SWRCB - Division of Water Rights, Sheriff, Klamath-Trinity Joint Unified School District

**Applicant Name** 4 Ponds, LLC **Key Parcel Number** 522-033-010-000

**Application (APPS#)** 12848 **Assigned Planner** Caitlin Castellano (707) 268-3731 **Case Number(s)** SP16-674

Please review the above project and provide comments with any recommended conditions of approval. To help us log your response accurately, please include a copy of this form with your correspondence.

Questions concerning this project may be directed to the assigned planner for this project between 8:30am and 5:30pm Monday through Friday.

County Zoning Ordinance allows up to 15 calendar days for a response. If no response or extension request is received by the response date, processing will proceed as proposed.

☐ If this box is checked, please return large format maps with your response.

**Return Response No Later Than** Planning Commission Clerk  
County of Humboldt Planning and Building Department  
3015 H Street  
Eureka, CA 95501  
**E-mail:** PlanningClerk@co.humboldt.ca.us **Fax:** (707) 268-3792

**We have reviewed the above application and recommend the following:**

Conditional Approval

**DISTRIBUTED**  
9-25-18

**Comments:**

Need More Information for Approval: Provide written assessment from a qualified septic consultant confirming a minimum of Tier 0 status for the existing onsite waste treatment system serving the dwelling.

\*This review and recommendation is for the Land Use aspects of the planning project and does not include or imply compliance with all DEH programs. Although DEH recommends the approval of the Planning project, Solid Waste and HazMat Program requirements need to be addressed directly with staff from those programs.

**Response Date:** 9/24/2018 **Recommendation By:** Adam Molofsky

2746

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**From:** [Kamoroff, Corrina@Wildlife](mailto:Kamoroff,Corrina@Wildlife)  
**To:** [Yandell, Rodney](mailto:Yandell,Rodney)  
**Cc:** [Johnson, Cliff](mailto:Johnson,Cliff); [Manthorne, David@Wildlife](mailto:Manthorne,David@Wildlife)  
**Subject:** App: PLN-12848-SP, APN:522-033-010  
**Date:** Friday, September 29, 2023 11:23:54 AM

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

Good Morning,

Please see the comments below regarding the above referenced project.

**Project Number:** PLN-12848-SP

**Project Name:** 4 Ponds LLC

**APN(s):** 522-033-010

### **Project Description**

A Special Permit for 10,000 square feet of existing outdoor cannabis cultivation and a 275 square-foot nursery. Water for irrigation is sourced from an existing onsite well. Water for irrigation is stored in seven tanks, totaling 18,200 gallons, and one 2,800-gallon tank reserved for fire protection. An additional 60,000 gallons of tank storage is proposed to support irrigation needs. An estimated 116,800 gallons of water is used per growing season for irrigation. Processing, including drying and bucking, occurs onsite in an existing outbuilding, and trimming will take place off site at a licensed processing facility. Electricity is sourced from solar and generator power and the project is recommended to be conditioned to require transition to on-site renewable energy by January 1, 2026. No employees are proposed. A Special Permit is also requested for work within the Streamside Management Area (SMA) to remove two water tanks, associated tank infrastructure, and to allow for associated remediation activities within the SMA.

### **CDFW COMMENTS:**

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

On September 14, 2023, CDFW staff conducted a site inspection at the subject property on Assessor' Parcel Number (APN) 522-033-010. During the site visit staff walked the property to observe current and historic cultivation activities. The following comments are intended to assist the Lead Agency in making informed decisions in the planning process. The following comments shall supersede prior comments submitted by CDFW regarding PLN-12848-SP. CDFW requests that all comments are incorporated in the final Humboldt County Staff Report.

- CDFW issued a Final Lake and Streambed Alteration Agreement (LSAA, 1600-2020-0350-R1) for upgrading a stream crossing, the stream restoration of a failed onstream reservoir, and the stream restoration at a roadside streambank. A work completion date was set in the LSAA for October 15, 2023. If the required work is not completed as of October 15, 2023, the applicant will become out of compliance with the LSAA. CDFW requests, as a condition of project approval, that the applicant either completes all required work prior to the work completion date or amends the LSAA to remain in compliance with the agreement.
- The proposed project states that water will be sourced from an existing groundwater well. In drought years, CDFW have observed wells going dry in the area and failing to yield water for the entire cultivation season. CDFW requests, as a condition of project approval, that the applicant stores no less than 75,000 gallons of water on site to be used if the well does not produce for a full cultivation season.
- While onsite, CDFW observed monofilament netting that was used during cannabis cultivation operations. To minimize the risk of wildlife entrapment, CDFW requests, as a condition of project approval, the prohibition of synthetic netting (e.g., plastic or nylon) including photo or biodegradable plastic netting for the purpose of cultivation operations and/or erosion control.
- As a condition of the LSAA, the permittee has agreed to allow CDFW access to inspect and/or monitor the proposed work permitted in the agreement. The proposed project (PLN-12848-SP) is located behind a locked community gate on Three Creeks Road that only landowners have access to. CDFW does not currently have access through the locked community gate without being escorted by the permittee. CDFW requests, as a condition of project approval, that reliable access through the community gate on Three Creeks Road be made available by the lead agency to CDFW that need access for inspections for unresponsive Permittees.

Thank you for the opportunity to comment on this project.

**Corrina Kamoroff**

Environmental Scientist  
Habitat Conservation and Planning  
Humboldt/Del Norte LSA Program  
California Department of Fish and Wildlife  
619 Second Street  
Eureka, CA 95501