

## Grochau, Augustus

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**From:** Kamoroff, Corrina@Wildlife <Corrina.Kamoroff@Wildlife.ca.gov>  
**Sent:** Wednesday, March 20, 2024 1:42 PM  
**To:** Grochau, Augustus  
**Cc:** Manthorne, David@Wildlife; Johnson, Cliff  
**Subject:** PLN-11653-CUP, APN: 107-054-014

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Good Afternoon,

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

**Project Number:** PLN-11653-CUP  
**Project Name:** Scott Roberts - CUP for existing 19,062 sq ft  
**APN(s):** 107-054-014  
**CEQA:** CEQA-2017-1098-0000-R1

### Project Description

Scott Roberts - CUP for existing 18,462 sq ft

A Conditional Use Permit for 18,462 square feet (SF) of pre-existing mixed light cannabis cultivation and 1,840 SF of ancillary nursery and propagation area. Water for irrigation is sourced from rainwater catchment and an existing permitted well. Peak annual water usage has been roughly 392,260 gallons, but lower quantities have been required in other years. Existing water storage totals 93,300 gallons of water storage for irrigation. One (1) additional 2,500 gallon tank is designated for emergency fire protection. Drying will occur on-site in existing structures, all other processing activities will be performed off-site by a licensed processor. Electricity is provided by solar panels, but an emergency backup generator is also proposed.

### CDFW COMMENTS:

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

On March 15, 2024, CDFW staff conducted a site inspection at the subject property on Assessor Parcel Number (APN) 107-054-014. During the site visit, staff walked the property to observe current, historic, and proposed 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-11653-CUP. CDFW requests that all comments are incorporated in the final Humboldt County Staff Report.

- On October 23, 2019, CDFW issued the applicant a final Lake and Streambed Alteration Agreement (LSAA, EPIMS-HUM-07443-R1) to upgrade a failing and undersized stream crossing and for the removal of a greenhouse from the riparian area of a steep stream corridor.

- The LSAA (EPIMS-HUM-07443-R1) had a work completion date of October 15, 2022. As of March 19, 2024, the permittee has not completed any of the required work in the LSAA and the permittee has not submitted any of the required reporting measures. As a result, the permittee is out of compliance with the LSAA. Additionally, the greenhouse located within the riparian area of a Class II drainage has collapsed and is currently posing a threat to sensitive wildlife species and public trust resources. CDFW requests, as a condition of approval, that the applicant/permittee completes the following items listed below within the specified deadlines, or within two weeks of project approval, and achieves and maintains compliance with the LSAA.
  - Submit a minor amendment to the LSAA to revise the work completion date on the LSAA by April 30, 2024.
  - Submit a Revegetation Plan to CDFW by April 30, 2024.
  - Submit a Water Management Plan to CDFW by April 30, 2024.
  - Submit a Site Management Plan to CDFW by April 30, 2024.
  - Remove the greenhouse and all associated material and refuse from the stream corridor and revegetate the disturbed area with appropriate native vegetation by October 15, 2024.
  - Replace failing rocked crossing and hydrologically disconnect the road from the stream by October 15, 2024.
- While onsite, CDFW staff observed a substantial quantity of cannabis cultivation related waste including degrading plastic bags, tarps, and unused waterlines uncontained and scattered throughout the property. Additionally, fertilizer containers were improperly stored or abandoned posing a potentially significant threat to public trust resources. The observed conditions were unsanitary and hazardous for wildlife. Provided the circumstances, CDFW requests that all cannabis cultivation associated waste be removed from the site and properly disposed of prior to the authorization to cultivate cannabis.
- The proposed project states that water will be sourced from an existing groundwater well and from rainwater catchment. CDFW requests, as a condition of project approval, that the applicant stores no less than 150,000 gallons of water on site for both well water and rainwater catchment storage to be used if the well does not produce for a full cultivation season.
- While onsite, CDFW observed uncontained compost and discarded soil associated with cannabis cultivation. CDFW requests, as a condition of approval, that the applicant fully contains compost piles and all imported soil.
- While onsite, CDFW observed sediment discharge to Waters of the State through erosion of a hydrologically connected road. CDFW requests, as a condition of approval, that the applicant submit and implement an erosion control plan (site management plan) to deconcentrate surface flow off roads and away from streams. This would include maintenance of water bars as necessary to mitigate sediment delivery.
- 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 approval, the prohibition of synthetic netting (e.g., plastic or nylon) including photo or biodegradable plastic netting for the purpose of cultivation operations and/or erosion control.

Thank you for the opportunity to comment on this project.

**Corrina Kamoroff**

Environmental Scientist

Habitat Conservation and Planning

Humboldt/Del Norte LSA Program

California Department of Fish and Wildlife

619 Second Street

Eureka, CA 95501